



BOARD OF ETHICS, County of Hawai‘i

101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720

Tel. No. (808) 961-8251

AGENDA

DATE: Wednesday, October 15, 2025

TIME: 10:00 a.m.

PHYSICAL LOCATION: Hawai‘i County Building, Council Chambers,
25 Aupuni Street, Hilo, Hawai‘i 96720

REMOTE MEETING LINK:

<https://www.zoomgov.com/j/1617136793?pwd=lwu2LalJjARd7ah3gEUeUsaGLwb5Al.1>

Login:

Meeting ID: 161 713 6793

Passcode: 600592

The Board of Ethics (**Board**) will be meeting remotely using interactive conference technology pursuant to Hawai‘i Revised Statutes (**HRS**) § 92-3.7. The public may either attend and testify in person at the physical location or remotely using the Zoom remote meeting link above. If participating remotely, please set your settings to mute, except while testifying.

If audiovisual communication cannot be maintained with all members participating or with the public physical meeting location and quorum is lost, the meeting will be automatically recessed for up to thirty (30) minutes to attempt to restore audiovisual communication. The meeting will reconvene if either audiovisual communication or audio-only communication is restored within thirty (30) minutes. If the meeting is reconvened, remote participants may need to re-enter the meeting using the Zoom remote meeting link above. If the meeting cannot be reconvened within thirty (30) minutes, the meeting will be automatically terminated.

HOW TO TESTIFY:

Written Testimony: To ensure timely distribution and review by the Board Members before the meeting, it is requested that written testimony be received before 12:00 p.m. the business day prior to the meeting by: (1) email to boardofethics@hawaiicounty.gov; (2) mail to the Board of Ethics, 101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720; or (3) hand delivery during regular business hours to the Office of the Corporation Counsel, 101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720. All written testimony received prior to the meeting or at the meeting and prior to



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the Board's action on the respective agenda item, will be provided to the Board and made a part of the record.

Oral Testimony: Oral testimony will be accepted in person at the physical meeting location or remotely via the remote meeting link as provided on page 1. The Board will hear public testimony at the beginning of the meeting and when the respective agenda item is called, or as otherwise permitted at the sole discretion of the Chair. Public testimony is limited to three (3) minutes, please plan accordingly.

1. CALL TO ORDER

2. PUBLIC TESTIMONY ON AGENDA ITEMS

3. APPROVAL OF THE MINUTES

- a. Regular session minutes of the August 13, 2025, meeting.
- b. Executive session minutes of the August 13, 2025, meeting.

4. COMMUNICATIONS

- a. Responses from department heads to the Board's request for information on internal department policies and procedures relating to outside employment, issued at the Board's August 13, 2025, meeting.

5. OPEN PROCEEDINGS RELATING TO INFORMAL ADVISORY OPINIONS

a. New and Continued Review of Petitions:

- i. Petition 2025-18 (Open Proceeding): Ivory Quintal, council aide, petition for informal advisory opinion as to whether her position on the Hilo Downtown Improvement Foundation Board would violate the Code of Ethics.
- ii. Petition 2025-20 (Open Proceeding): Patti Pinto, recovery & redevelopment assistant, petition for informal advisory opinion as to whether her position as a volunteer officer of Puna Maukaukau would violate the Code of Ethics.

b. Consideration of Draft Informal Advisory Opinions:



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- i. Petition 2025-14 (Open Proceeding): David Holbrook, building inspector, petition for informal advisory opinion as to whether proposed outside employment as architectural plans drafter would violate the Code of Ethics.

6. EXECUTIVE SESSION

a. Relating to Confidential Informal Advisory Opinions:

i. New and Continued Review of Petitions:

1. Petition 2025-17 (Closed Proceeding): County Employee petition for informal advisory opinion alleging that a County Officer violated the Code of Ethics, other laws, and a collective bargaining agreement.

The Board anticipates going into executive session pursuant to HRS §§ 92-4 and 92-5(a)(2) to consider the charges brought against the County Officer and to consider matters affecting that individual's privacy; and HRS § 92-5(a)(4) to consult with the Board's attorney on the Board's powers, duties, and liabilities as it relates to this petition.

2. Petition 2025-19 (Closed Proceeding): County Employee petition for informal advisory opinion alleging that a County Officer violated the Code of Ethics and other laws.

The Board anticipates going into executive session pursuant to HRS §§ 92-4 and 92-5(a)(2) to consider the charges brought against the County Officer and to consider matters affecting that individual's privacy; and HRS § 92-5(a)(4) to consult with the Board's attorney on the Board's powers, duties, and liabilities as it relates to this petition.

ii. Consideration of Draft Informal Advisory Opinions:

1. Petition 2025-15 (Closed Proceeding): County Employee petition for informal advisory opinion concerning whether position on a non-profit board would violate the Code of Ethics.

The Board anticipates going into executive session pursuant to HRS §§ 92-4 and 92-5(a)(2) to consider whether the conduct presented by the County Employee could result in a probable violation of the Code of Ethics and potential discipline, and to consider matters affecting that individual's privacy; and HRS § 92-5(a)(4) to consult with the Board's attorney on the Board's powers, duties, and liabilities as it relates to this petition.



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2. Petition 2025-16 (Closed Proceeding): County Employee petition for informal advisory opinion concerning whether outside employment would violate the Code of Ethics.

The Board anticipates going into executive session pursuant to HRS §§ 92-4 and 92-5(a)(2) to consider whether the conduct presented by the County Employee could result in a probable violation of the Code of Ethics and potential discipline, and to consider matters affecting that individual’s privacy; and HRS § 92-5(a)(4) to consult with the Board’s attorney on the Board’s powers, duties, and liabilities as it relates to this petition.

b. Confidential Financial Disclosures:

i. Continued Evaluation:

	Name	Position	County Agency
1.	Alexandria Ayers	Commissioner	Leeward Planning Commission
2.	Michael Bell	Board Member	Water Board
3.	Wendy Botelho	Commissioner	Police Commission
4.	Arthur Buckman	Commissioner	Police Commission
5.	Cheryl Chan	GIS Analyst	Finance Department – Real Property Tax Division
6.	Todd R. Crowe	Building Inspector Aid	Department of Public Works
7.	Kristy Cruz	Commissioner	Transportation Commission
8.	Cynthia Davenport	Board Member	Liquor Control Adjudication Board
9.	Mark Davis	Board Member	Real Property Tax Board of Review
10.	Lloyd Enriquez	Commissioner	Police Commission
11.	Cathy Ferreira	Board Member	Pension Board
12.	Sidney Fuke	Chair	Liquor Control Adjudication Board
13.	Lisa Fukumitsu	Board Member	Board of Ethics
14.	Judy Greenbaum	Commissioner	Salary Commission
15.	Michael Hughes	Board Member	Liquor Control Adjudication Board
16.	Rebecca Inaba	Commissioner	Leeward Planning Commission
17.	Donala Kawaauhau	Commissioner	Salary Commission
18.	James Lee	Board Member	Water Board
19.	Stephen Lopez	Board Member	Water Board



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	Name	Position	County Agency
20.	Corey Luke	Commissioner	Fire Commission
21.	Maria Shon Magsalin	Commissioner	Fire Commission
22.	Lloyd Matsubara	Commissioner	Transportation Board
23.	Robyn Matsumoto	Civil Engineer V	Department of Public Works
24.	Kaleb Meno	Real Property Valuation Analyst	Finance Department – Real Property Tax Division
25.	Lisa Miura	Real Property Tax Administrator	Finance Department – Real Property Tax Division
26.	Benjamin Ney	Board Member	Water Board
27.	Samuel Nelson	Commissioner	Salary Commission
28.	Laurisa Nishimoto	Commissioner	Liquor Commission
29.	Paul Paiva	Board Member	Board of Ethics
30.	Steven Pavao	Chair	Salary Commission
31.	Dawn Raymond	Board Member	Liquor Control Adjudication Board
32.	Dennis Riordan	Commissioner	Salary Commission
33.	Emily Taaroa	Board Member	Water Board
34.	Dale Tokuke	Board Member	Real Property Tax Board of Review
35.	Keith Unger	Board Member	Water Board
36.	Kelly Valenzuela	Board Member	Board of Ethics
37.	Melvin Ventura	Commissioner	Liquor Commission
38.	Jennifer Wilkinson	Commissioner	Liquor Commission
39.	Jennifer Yadao	Commissioner	Liquor Commission
40.	Gilbert Aguinaldo	Board Member	Merit Appeals Board

The Board anticipates going into executive session pursuant to HRS §§ 92-4 and 92-5(a)(2) to evaluate the listed employees and officers through their confidential financial disclosures, which requires consideration of financial and personal information to which they have a legitimate expectation of privacy in; HRS § 92-5(a)(8) as Article XIV of the Constitution of the State of Hawai'i provides that financial disclosures made by public officials that are not required by law to be public shall be confidential; and HRS § 92-5(a)(4) to consult with the Board's attorney on the Board's powers, duties, and liabilities as they relate to reviewing the confidential financial disclosures for compliance with the Code of Ethics.

ii. New:

	Name	Position	County Agency
1.	David Bruno	Board Member	Board of Ethics
2.	Kimberly Lin	Board Member	Real Property Tax Board of Review
3.	Bernadette Urban-Smith	Commissioner	Police Commission



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Name		Position	County Agency
4.	Justin Canelas	Commissioner	Environmental Management Commission

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7. EXECUTIVE SESSION REPORT

Executive Session Report by the Board's attorney pursuant to HRS § 92-4(b).

8. PERMITTED INTERACTION GROUP

- a. Report of the Permitted Interaction Group (**PIG**) formed on November 13, 2024, pertaining to the PIG's loss of membership and its completed work on the proposed revisions to the Rules of Practice and Procedure of the Board of Ethics, particularly Rule 4, 5, and 8.

9. 2026 BOARD OF ETHICS MEETING SCHEDULE

- a. Consideration of the proposed 2026 Board of Ethics Meeting Schedule based on Board Member availability and other factors.

10. ANNOUNCEMENTS

- a. The next monthly meeting of the Board of Ethics is scheduled for Wednesday, November 12, 2025, at 10:00 a.m., at the Hawai'i County Building, Council Chambers, 25 Aupuni Street, Hilo, Hawai'i, 96720.

11. ADJOURNMENT



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HOW TO REQUEST AN ACCOMODATION:



If you need an auxiliary aid/service or other accommodation due to a disability, please contact 808-961-8251 as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request.

Upon request, this notice is available in alternate/accessible formats such as large print, braille, or electronic copy.

MEETING MATERIALS AND OTHER INFORMATION:

The board packet for this meeting will be available for public inspection at least three full business days before the meeting: (1) during regular business hours at the Office of the Corporation Counsel, 101 Aupuni Street, Suite 325, Hilo, Hawai‘i 96720; and (2) on the Board’s website at <https://www.hawaiicounty.gov/our-county/boards-and-commissions/boards-and-commissions-listings/board-of-ethics>. The minutes, agendas, and meeting materials for the Board’s past meetings are also available on the Board’s website.

NOTICE TO LOBBYISTS

If you are a lobbyist, you must register with the Hawai‘i County Clerk within five days of becoming a lobbyist (Article 15, Section 2-91.3(b), Hawai‘i County Code).

A lobbyist means “any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.” (Article 15, Section 2-91.3(a)(6), Hawai‘i County Code.)

Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai‘i 96720.

HAWAI‘I COUNTY BOARD OF ETHICS

MINUTES – REGULAR SESSION

Wednesday, August 13, 2025

10:08 a.m. – 12:33 p.m.

County Council Chambers

Hawai‘i County Building

25 Aupuni Street

Hilo, Hawai‘i 96720

Members and Staff Present:

Lisa Fukumitsu, Vice Chair

Paul “Scotty” Paiva, Member

David Bruno, Member

Kelly Valenzuela, Member

Cameron Takamura, Deputy Corporation Counsel

Keyra Wong, Deputy Corporation Counsel Section Chief

Khayla-Lei Peiler, Secretary

1. CALL TO ORDER (10:01 a.m.)

Ms. Fukumitsu called the meeting to order at 10:08 a.m. Present in chambers were Lisa Fukumitsu, David Bruno, Kelly Valenzuela and Paul “Scotty” Paiva. Also present was Deputy Corporation Counsel Cameron Takamura, Deputy Corporation Counsel Keyra Wong and Board Secretary Khayla-Lei Peiler.

Ms. Fukumitsu: Ok, good morning everyone I am Vice Chair Fukumitsu and due to Chair Shorts absence today I’ll be presiding over this meeting. Calling to order the Board of Ethics meeting for August 13, 2025 which is being held both in person at the Hilo Council Chambers as well as virtually on Zoom. I’d like to review protocols with all of our zoom participants, cameras must be turned on at all times during the hearing, one person speaks at a time with no side conversations, please mute your device when you’re not speaking to improve audio quality for all. For Zoom participants raise your hand and wait for recognition by the Chair before speaking to ensure we make a clean and clear record. Prior to speaking please state your name so that all parties know who is speaking, speak slowly, clearly and be close to the microphone. Limit distractions, turning off mobile phones and other devices. And as a general reminder for all Board of Ethics members please state your name before speaking throughout our hearing today. So if we could now introduce ourselves. I’ll go first. Vice Chair Fukumitsu.

Mr. Bruno: Member, David Bruno.

Mr. Paiva: Member, Scotty Paiva.

Ms. Valenzuela: Member, Kelly Valenzuela.

Ms. Fukumitsu: Ok also present we have Deputy Corporation Counsel Cameron Takamura, the Boards attorney, and BOE Secretary Khayla-Lei Peiler. And Keyra Wong who will be assisting the Board.

Mr. Takamura: Chair there are four members present and you have quorum to proceed.

2. STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS (10:10 a.m.)

Ms. Fukumitsu: Ok moving on to agenda item 2 we'll take statements from the public on agenda items. As a reminder public testifiers can either testify now or have the option to wait until the agenda item is called to testify. Do we have any public testifiers at this time? Ok so there's no one on Zoom and no public testifiers at this time.

Ms. Peiler: There is a petitioner on Zoom.

Ms. Fukumitsu: Oh there's a Petitioner on Zoom. Ok so we can move on.

3. APPROVAL OF THE REGULAR SESSION MINUTES (10:11 a.m.)

a. Approval of the regular session minutes of July 16, 2025

Ms. Fukumitsu: So we're moving on to approval of the minutes? Ok, moving on to approval of the regular session minutes for July 16, 2025 meeting. Any public testimony on this agenda item? Let the record reflect there's no public testimony has everyone had a chance to review the regular session minutes for our July 16 meeting? Seeing everyone nodding yes can I get a motion to approve the regular session minutes for our July 16 meeting?

Mr. Bruno: Member Bruno I make a motion to accept the minutes for July 16 meeting.

Ms. Fukumitsu: Thank you. Can I get a second?

Ms. Valenzuela: Member Kelly Valenzuela. I second it.

Ms. Fukumitsu: Any discussion? Seeing and hearing none all those in favor of approving the regular session minutes for our July 16, 2025 meeting say aye.

All members say aye in unison

Ms. Fukumitsu: Any oppose? Ok unanimously motion passes.

Motion and Vote: Board member Bruno moved to approve the Regular Session minutes of July 16, 2025; Board Member Valenzuela seconded; All Members voted aye. Motion Passes. (10:12 a.m.)

3. APPROVAL OF THE EXECUTIVE SESSION MINUTES (10:12 a.m.)

b. Approval of the executive session minutes of July 16, 2025

Ms. Fukumitsu: Next is the approval of the executive session minutes for the July 16, 2025 meeting. Any public testimony on this agenda item? Hearing and seeing none let the record reflect there's no public testimony. Has everyone had a chance to review the executive session minutes for our July 16, 2025 meeting? Can I get a motion to approve the executive session minutes from our July 16 meeting.

Ms. Valenzuela: Kelly Valenzuela a make a motion to approve the July 16...

Mr. Takamura: Executive session minutes.

Ms. Valenzuela: Executive session minutes.

Ms. Fukumitsu: Thank you. Can I get a second?

Mr. Paiva: Member Paiva second.

Ms. Fukumitsu: Any discussion? All those in favor of approving executive session minutes for the July 16, 2025 meeting say aye.

All members say aye in unison

Ms. Fukumitsu: Any opposed? Ok motion carries.

Motion and Vote: Board member Valenzuela moved to approve the Executive Session minutes of July 16, 2025; Board Member Paiva seconded; All Members voted aye. Motion Passes. (10:13 a.m.)

4. COMMUNICATIONS (10:13 a.m.)

- a. Legal memorandum from the Board's attorney pertaining to the Board's powers, duties, and analyses relating to informal advisory opinions requested by employees and officers.

Pursuant to Hawai'i Revised Statutes (HRS) §§ 92-4 and 92-5(a)(4), the Board will convene an executive session to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

Ms. Fukumitsu: We're moving on to agenda item 4a which is a legal memorandum from the Board's attorney pertaining to the Board's powers, duties, and analyses relating to informal advisory opinions requested by employees and officers so I'd like to request for an executive session at this time. And can I get a motion?

Mr. Takamura: And for whoever is going to make the motion all you really need to do is say you're going to move and then read the paragraph under 4a.

Mr. Bruno: Member Bruno I move that we move to executive session pursuant to Hawai'i Revised Statutes (HRS) §§ 92-4 and 92-5(a)(4), the Board will convene an executive session to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.

Ms. Fukumitsu: Can I get a second?

Mr. Paiva: Member Paiva. Second.

Ms. Fukumitsu: All those in favor of moving into executive session say aye.

****All members say aye in unison****

Ms. Fukumitsu: Any opposed? Nope. Unanimous so we are moving now into executive session at 10:14 a.m. Oh anyone in the gallery if you could step outside while we convene our executive session and we'll call you back. Mahalo. And Zoom.

Mr. Takamura: Ok so at this time I'd ask anybody who's not on the Commission to please wait outside.

Motion and Vote: Board member Bruno moved to go into Executive Session pursuant to HRS Sections 92-4 and 92-5a(4) for the purpose of consulting with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities as they relate to this agenda item; Board Member Paiva seconded; All Members voted aye. Motion Passes. (10:14 a.m.)

Board enters Executive Session (10:14 a.m.)

Board enters Open Session (11:17 a.m.)

Ms. Fukumitsu: How do you guys feel about taking a break while we start to you know move back into open session bring everybody back take a little 10 minute break? Do we have to vote?

Ms. Valenzuela: I just feel bad for the guys waiting.

Ms. Fukumitsu: I know. Ok up to you. No break, we keep going? Is everybody ok? We'll keep going.

Ms. Valenzuela: Can we do like five minute, like a bathroom break really quick?

Mr. Takamura: Yeah you can go now.

Brief five minute recess

Ms. Fukumitsu: Thank you very much, Vice Chair Fukumitsu. Starting our open session meeting at 11:24am we are at agenda item 4b. So review of draft communication from the Board to all department heads requesting information on internal departmental policies and procedures pertaining to outside employment. Do we have any public testimony on this item. Ok, has everyone reviewed the document? Can I get a motion to approve?

Mr. Bruno: Member Bruno I make a motion that we approve the memo to make the request to department heads.

Ms. Fukumitsu: Can I get a second?

Ms. Valenzuela: Kelly Valenzuela. I second.

Ms. Fukumitsu: Ok any discussion?

Mr. Bruno: I just have question for Corporation Counsel. Whether the month or the time frame are we looking at do we give them a couple weeks? Do we have to get it back before the next meeting?

Mr. Takamura: That's for you guys to decide. They would probably need at least till the next meeting or within the Board Packet period of the next meeting so it would be within three full business days of the next meeting it would be at least what the probably need. But it's up to your guys.

Mr. Bruno: Member Bruno. Just to go into detail, so request would obviously fall to you to get this out? That's something that could be done reasonably quickly and then just giving them potentially that 3 week window to respond so we have the information before next meeting.

Mr. Takamura: Yup so the draft has that I guess that parts blank the deadline so acting Chair Fukumitsu has the Draft that can be filled in and signed today and then we could send it via inter-departmental mail or via email within the day.

Mr. Bruno: Thank you.

Ms. Fukumitsu: Vice Chair Fukumitsu. So just point of clarification this memo is going... this is sort of a memo for ongoing use yes? Or just a one time.

Mr. Takamura: So at a previous meeting you guys discussed wanting to know what the department's internal policies are regarding outside employment so that's what this does is it seeks a response from them as to what their current internal policies are.

Ms. Fukumitsu: Thank you so given that this is going to be a memo template?

Mr. Takamura: No this is going to be the actual memo.

Ms. Fukumitsu: Oh a one time thing. Ok cause I was going to say if we're going to continue to use this format in future sessions, hearings, that we would just leave that last part blank but it's a one time thing that's fine.

Mr. Takamura: Yup it's just the memo to be sent out.

Ms. Fukumitsu: And for the record do we need me to read the memo contents out loud?

Mr. Takamura: It's not necessary. But if you want to.

Ms. Fukumitsu: Ok great, nope that's fine. So ok any further discussion?

Mr. Takamura: So I guess one thing you guys would have to discuss is what the deadlines going to be put into the draft memo.

Ms. Fukumitsu: Ok.

Mr. Bruno: Yeah so to that, Member Bruno, just looking at the calendar our next meeting is scheduled for September 10th so for the packet which comes out the prior Friday would be the 5th. Although that Monday is Labor Day so do we need to request it by the 29th of August which gives them 2 and half weeks? Or can it fall to the 2nd or 3rd of September? Just to make sure that timewise for the packet.

Mr. Takamura: Yeah timewise in order to make it into the Board packet it would have to be by like the 3rd but that is only like a little over 2 weeks. So that's something you could consider. The last time it took DPW a little over a week I think but it really depends on the Department and their workload. I'm sure they wouldn't object to having a longer timeline but that's up to you guys.

Mr. Bruno: Member Bruno. I think it would be helpful to have the information we may not have the complete response so we may have to deal with what we haven't gotten back by then if we can request at least we can see how many are able to respond using DPW in their example last time. So if we gave them until the 2nd, which is after the labor day holiday does that seem reasonable?

Mr. Takamura: If that's ok then I would ask for a vote to approve the letter with the amendment that the deadline be September 2nd.

Ms. Fukumitsu: Yes can I call for the motion please.

Mr. Bruno: We need a revised motion to accept the memo with putting in the date of the deadline to the 2nd.

Mr. Takamura: Yes.

Mr. Bruno: So to amend my prior motion to accept the memo and have it sent out with the return date being requested by September 2nd.

Mr. Paiva: Member Paiva. Second.

Ms. Fukumitsu: Calling for the vote all those in favor of accepting the memo with amendments as discussed including the due date of September 2nd. All those in favor of?

****All members say aye in unison****

Ms. Fukumitsu: Any opposed? No opposed the motion passes unanimously and the memo is accepted with amendments. So I'm going to sign it.

Mr. Takamura: Ok so at this time I'd ask anybody who's not on the Commission to please wait outside.

Motion and Vote: Board member Bruno moved to accept the memo asking Department Heads to provide information in regard to internal policies regarding outside employment with the amendment to add the deadline of September 2, 2025; Board Member Paiva seconded; All Members voted aye. Motion Passes. (11:31 a.m.)

5. OPEN PROCEEDINGS FOR INFORMAL ADVISORY OPINION PETITION(S)

- a. Petition 2025-14 (Open Proceeding): David Holbrook, building inspector, petition for informal advisory opinion as to whether proposed outside employment as architectural plans drafter would violate the Code of Ethics.

Ms. Fukumitsu: Ok, so sorry. We're moving on to agenda item 5, continuing discussion on Petition 2025-14. Where are we...with that. Oh and for the record Vice Chair Fukumitsu I would just like to make a disclosure the Petitioner, Mr. Holbrook, was the inspector on my photovoltaics like a few weeks ago. I don't even know if you were aware of it. I just was looking at my permit for my photovoltaics and I noticed your name. But for me being transparent I just want put that out on the record but just also I am confident I can continue to be impartial as we move forward with this. Oh yes and the permit is already closed. Is that enough? It's no longer a continuing thing. And I didn't know at the time that we were having this discussion...that we were reviewing this Petition, it wasn't happening at that time. Thank you.

Mr. Bruno: Member Bruno, I guess just to address this in light of what we discussed in executive session and notwithstanding the fact that we've requested the...we just approved the request for further information on department standards that that's sort of separate and aside from considering this Petition at least in my view.

Mr. Takamura: Yeah so you guys already had requested DPW's opinion in the past and they rendered it prior to the last meeting.

Mr. Bruno: So I guess I would say based...for discussion I think based on the information that I have heard and that we've discussed and speaking with Petitioner as far as he's described it and sort of defined what he anticipates to do and I'm considering sort of the analysis we discussed recently that it in my opinion at least that it would not create a conflict but I'm open to having further discussion about that to kind of move this through or if we need to wait for further information.

Ms. Fukumitsu: Vice Chair Fukumitsu. Are we then saying we're ready to make a motion?

Mr. Takamura: Yeah if you guys have flushed out everything.

Mr. Paiva: Member Paiva. I have a little bit to...include I think past practices as we have approved other similar petitions and one in particular was number 2024-22 and in that we added some requirements and if we can add that in. And we have here does not inspect any projects or buildings or structures that may have been part of the drafting, part of drafting of the plans. Or use county resources, equipment or county paid time for the side drafting business. If we can include that into the motion.

Ms. Fukumitsu: So the person who makes the motion would include all of those.

Mr. Takamura: So all the basis for your disposition. So first you're going to decide the disposition right? On the Petition whether or not you find that the conduct proposed is or is not a probable violation and then after that you can decide whether or not to add any kind of I guess guardrails to ensure that it remains that way or to come back into compliance.

Mr. Paiva: Member Paiva. I think this is part of my thinking that with, I wouldn't approve it without this...requirements. So I think it's part of the motion. But you said after we approve.

Mr. Takamura: Oh no. So in your disposition, your oral disposition right now the first thing you have to find is whether or not the proposed conduct is or is not a probable violation and if it's not a probable violation then you guys can add additional stuff like what you're talking about as guardrails to make sure it stays that way.

Mr. Bruno: I actually have a question could I ask the Petitioner to...come forward I'd like to ask a question and get clarification speaking of restrictions that Member Paiva has raised. Mr. Holbrook thank you for coming back again. So one of things if I recall correctly when you were talking about sort of the breath of the amount of work that you have sort of tied in with someone that you've talked that's interested in using your services and that you plan to create a set of plans that they can go. My question is to do you foresee sort of soliciting additional business or are you going to market yourself as that? Or is it you're clearing the way so that you have this one

you can take care of through a word of mouth thing or how much solicitation I guess and how much marketing are you planning?

Mr. Holbrook: In the past when I had a drafting business before I never solicited work I would usually get calls and I was on a list at HPM Building Supply and things like that of available draftsmen but in this case I have one general contractor who's interested in having my...me build, draw plans for him. He wants to have four or five house plans on his website that customers can choose from if they so please and I could make changes to those plans as necessary. But otherwise I don't really have time to actually run a full business. It just takes too much time and I have a house and a yard.

Mr. Bruno: And so just to clarify. This opinion you're looking to be able to fulfill sort of that what we've been talking about. The plans of working with one general contractor to create these plans. What I'm thinking of is just not trying to handcuff you if we say you won't be actively soliciting or you know promoting it as a separate business if that becomes too restricting I'm just trying to divide the line between you're just trying to get this first set done...

Mr. Holbrook: This is strictly just a part time kind of a thing that I'd like to do. It could take a couple of months to prepare a set of plans and especially doing it part time. And I can't use all of my time towards that, spare time. So no it would be, and actually if I had four or five sets of plans on this guys website I would be getting a commission...

Mr. Takamura: Sorry Mr. Holbrook I'm going to have to ask you to pause. We're having a technical issue. You want to call for a recess.

Ms. Fukumitsu: Vice Chair Fukumitsu I'm going to call for a brief recess to get our recording back and Wi-Fi up.

****Technical Difficulties****

Ms. Fukumitsu: Ok Vice Chair Fukumitsu, our Wi-Fi's back up and running. Zoom's good? Ok. We're back in session at 11:42 and I believe we were having a discussion with Board Member Bruno.

Mr. Bruno: Yeah Board Member Bruno. That's helpful to you know we want to put appropriate limitations to it as my fellow member but I just

want to make sure that we're not going to far with what your anticipated endeavor is. Thanks. I don't have any other questions.

Ms. Fukumitsu: Ok so I think...Sorry Vice Chair Fukumitsu. Are we ready for a motion?

Mr. Paiva: Member Paiva. I move that we find that the requested activity does not violate the County Code of Ethics with the inclusion of the same requirements we put in for an earlier decision Petition 2024-22.

Ms. Fukumitsu: Sorry legal question. Do you want us to state what those parameters or provisions would be for the record?

Mr. Takamura: Yeah I think it would be helpful to read the applicable ones out.

Mr. Paiva: Member Paiva I'll include those to the best of my abilities. The Petitioner does not inspect any projects or buildings or structures that they have been a part of the drafting plans. Or use any County resources, equipment or County paid time for the side Drafting business.

Mr. Takamura: Ok anything else? Anybody else have any additions or other comments?

Ms. Fukumitsu: Ok great can I get a second?

Ms. Valenzuela: Kelly Valenzuela. I second it.

Ms. Fukumitsu: Ok calling for the vote all those in favor?

All members say aye in unison

Ms. Fukumitsu: Opposed? None. Motion passes unanimously.

Motion and Vote: Board member Paiva moved to find that Petition 2025-14 does not violate the Hawaii County Code of Ethics as long as the Petitioner does not inspect any projects, buildings or structures that they have been a part of the drafting plans and does not use any County resources, equipment or County paid time; Board Member Valenzuela seconded; All Members voted aye. Motion Passes. (11:45 a.m.)

6. EXECUTIVE SESSION

- a. Petition 2025-15 (Closed Proceeding): County Employee petition for informal advisory opinion concerning their own conduct.

Ms. Fukumitsu: Ok, can I get a motion to move us into executive session?

Mr. Bruno: Member Bruno, I make a motion that we move to executive session for agenda item 6a pursuant to HRS Sections 92-4, 92-5a(2) and 92-5a(4) the Board will convene in executive session to consider the hire, evaluation, dismissal, or discipline of an officer or an employee or of charges brought against the officer or employee where consideration of matters affecting privacy will be involved provided if the individual concerned requests an open meeting, an open meeting shall be held and to consult with the Board's attorney on questions and issues pertaining to the Boards powers, duties, privileges, immunities, and liabilities and further to item 6b also pursuant to HRS Sections 92-4, 92-5a(2) and 92-5a(4) the Board will convene in executive session to consider the hire, evaluation, dismissal, or discipline of an officer or an employee or of charges brought against the officer or employee where consideration of matters affecting privacy will be involved provided if the individual concerned requests an open meeting, an open meeting shall be held and to consult with the Board's attorney on questions and issues pertaining to the Boards powers, duties, privileges, immunities, and liabilities for the following confidential financial disclosures.

Ms. Fukumitsu: Can I get a second?

Mr. Paiva: Member Paiva, second.

****Technical Difficulties****

Ms. Fukumitsu: Do you want a break?

Mr. Takamura: No, I'm going to note for the record that the motion was made by David and seconded by Scotty. And then I'll include that in the minutes later so you can proceed on the vote.

Ms. Fukumitsu: All those in favor of moving into executive session say aye.

****All members say aye in unison****

Ms. Fukumitsu: Ok, unanimous. We're moving into an executive session at 11:50am.

Mr. Takamura: Ok so this is for Executive session for item 6a which is Petition 2025-15. I would ask that anybody not in here for that Petition please step outside until your Petition is called.

Motion and Vote: Board member Bruno moved to go into Executive Session pursuant to HRS Sections 92-4, 92-5a(2) and 92-5a(4); Board Member Paiva seconded; All Members voted aye. Motion Passes. (11:50 a.m.)

Board enters Executive Session (11:50 a.m.)

Board enters Open Session (12:21 p.m.)

Ms. Fukumitsu: Also for the record Board Member Paiva is needing to leave at this time and we lose quorum.

Mr. Takamura: But I still can do the executive session report without quorum.

Ms. Fukumitsu: Ok so we can still address agenda item 8 Executive Session Report and announcements to finish our...

****Microphones turned off****

Ms. Fukumitsu: Ok. We're back in open session. It's 12:27 p.m. at this time can I ask that DCC Takamura provide the executive session report pursuant to HRS Section 92-4b.

Mr. Takamura: This is the executive session report agenda item 4a was held in executive session pursuant to HRS 92-4 and 92-5(a)(4) for the Board to convene in executive session to consult with the Board's attorney on questions and issues pertaining to the Board's power, duties, privileges, immunities and liabilities. There was no action and it's not subject to disclosure as disclosure would tend to defeat the purpose of the executive session pursuant to HRS 92-4(b) and 92-5(a)(4) which was the purpose that the Board held it. Item 6a 1 was also held in executive session pursuant to HRS Section 92-4, 92-5(a)(2) and 92-5(a)(4) which was to convene in executive session to consider the hire, evaluation, or discipline of an officer or employee or of charges brought against the officer or employee where consideration of matters affecting privacy will be involved and to consult with the Board's attorney on questions and issues

pertaining to the Boards powers, duties, privileges, immunities and liabilities. The Board voted on a preliminary decision which will be reviewed at the next meeting. The discussion and the contents of the action is not subject to disclosure pursuant to HRS 92-4(b) and HRS 92-5(a)(2) as it would defeat the purpose of the executive session as stated before. Item 6a 2 was also held in executive session pursuant to HRS Section 92-4, 92-5(a)(2) and 92-5(a)(4) which was previously stated for the previous item. Similarly the Board voted on a preliminary decision which will be voted on at the next meeting. Discussion and the contents of the action are not subject to disclosure as it disclosure would tend to defeat the purpose of the executive session pursuant to HRS 92-4(b) and HRS 92-5(a)(2). Items 6b was continued to a future agenda item so no action and no discussion. And that's it for the executive session report.

Ms. Fukumitsu: I'm so sorry. Vice Chair Fukumitsu. Did I state for the record that due to were losing quorum that we were going to move or continue agenda item 7? The permitted interaction group?

Mr. Takamura: We can do that in open session.

Ms. Fukumitsu: Do I need a motion to move?

Mr. Takamura: You can either have a motion to continue it to a future agenda item or you can exercise your discretion as the Chair to cancel the item. Up to you.

Ms. Fukumitsu: What does it mean if I cancel it?

Mr. Takamura: So that just means it's no longer on the agenda. Because you control, as the Chair, you control the agenda. But if you wanted it to be like everybody's input then you can do a motion.

Ms. Fukumitsu: But if I cancel it will it just automatically move to the next?

Mr. Takamura: Yeah so well it doesn't automatically move but it cancels it and then you or Chair Short will put it on a future agenda using your authority to dictate the agenda.

Ms. Fukumitsu: Can I get a motion? Thank you.

Mr. Bruno: Member Bruno I make a motion that we move item 7 permitted interaction group to the September meeting.

Ms. Fukumitsu: Can I get a second?

Mr. Paiva: Member Paiva Second.

Mr. Fukumitsu: Any discussion? Calling for the vote all those in favor of moving agenda item 7 to the next meeting in September please say aye.

All members say aye in unison

Ms. Fukumitsu: Opposed? Ok none. Passes unanimously so we're going to move the permitted interaction group report to our September meeting.

Motion and Vote: Board member Bruno moved continue agenda item 7 the Permitted Interaction Group Report to the next meeting; Board Member Paiva seconded; All Members voted aye. Motion Passes. (12:32 p.m.)

9. ANNOUNCEMENTS (12:32 p.m.)

Ms. Fukumitsu: Ok moving on to item 9 announcements. The next monthly meeting of the Board of Ethics is scheduled for Wednesday, September 10, 2025 at 10 a.m. at the Hawaii County Building Council Chambers, 25 Aupuni Street Hilo, HI 96720.

10. ADJOURNMENT (12:32 p.m.)

Ms. Fukumitsu: Ok let's see, can I get a motion to adjourn?

Mr. Paiva: Member Paiva, motion to adjourn.

Ms. Fukumitsu: Can I get a second?

MS. Valenzuela: Kelly Valenzuela. I second.

Ms. Fukumitsu: All those in favor say aye.

All members say aye in unison

Ms. Fukumitsu: Ok everyone's in agreement, we are adjourned at 12:33.

Motion and Vote: Board Member Paiva moved to adjourn the meeting; Board Member Valenzuela seconded; All Members voted aye; Motion Passes (12:33 p.m.)

Respectfully submitted:

Khayla-Lei, Secretary

DRAFT

From: [Emmons, Charyse A.](#)
To: [Board of Ethics](#)
Subject: Re: Board of Ethics Request for Information
Date: Friday, August 29, 2025 11:54:47 AM

Good afternoon!

In response to the request regarding internal department policies and/or procedures relating to outside employment, Animal Control and Protection Agency does not currently have any though that is being reviewed.

Thank you,

Charyse Emmons

TA Administrator
Specialist - Kona Shelter
Animal Control & Protection Agency
County of Hawaii
74-598 Hale Makai Place
Kailua-Kona, HI 96740
Office: (808) 982-2060
Cell: (808) 345-9679

From: [Uyehara, Kawika](#)
To: [Board of Ethics](#)
Subject: Board of Ethics - Request for Information on Policies for Outside Employment
Date: Friday, August 22, 2025 10:40:03 AM
Attachments: [Ethics Guide for Hawaii County Officers and Employees.pdf](#)

Aloha,

The Department of Water Supply (DWS) does not have any existing department policy or procedure relating to outside employment.

DWS gives our employees a copy of the “Ethics Guide for Hawaii County Officers and Employees” (attached).

Should you have any questions, please feel free to contact me.

Thank you,
Kawika

Kawika K. Uyehara, P.E.
Deputy
Department of Water Supply, County of Hawai‘i
345 Kekūanaō‘a Street, Ste. 20
Hilo, HI 96720
Tel: (808) 961-8050 / Fax: (808) 961-8657

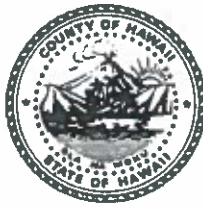
...Water, Our Most Precious Resource...Ka Wai A Kāne...

The Department of Water Supply is an Equal Opportunity provider and employer.

C. Kimo Alameda, PhD
Mayor

William V. Brilhante Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director



County of Hawaii
CIVIL DEFENSE AGENCY

920 Ululani Street • Hilo, Hawai'i 96720-3958
(808) 935-0031

Talmadge J. Magno
Civil Defense Administrator

August 22, 2025

Office of the Corporation Counsel
Attn: Board of Ethics
101 Aupuni Street, Suite 325
Hilo, Hawai'i 96720
boardofethics@hawaiiicounty.gov

Subject: Response to Request Regarding Department Policies on Outside Employment

Dear Board Members,

In response to your request pursuant to Hawai'i County Code § 2-89, please be advised that our department does not currently have any formal internal policies or procedures specifically relating to outside employment.

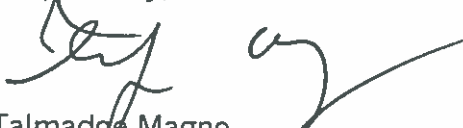
However, we do include the following statement under "Special Working Condition(s)" in all of our job descriptions:

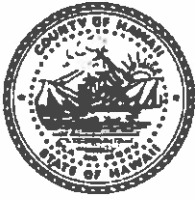
- After hours, weekends, and holiday work are required.
- On 24-hour status in anticipation of natural disaster, enemy attack.
- Reports to office under disaster conditions.
- Performs long hours on duty during civil defense alerts and emergencies.

These conditions may affect an employee's availability for outside employment but are not part of a formal policy governing such employment.

Should you need any further information or clarification, please feel free to contact me directly.

Respectfully,


Talmadge Magno
Civil Defense Administrator



BOARD OF ETHICS, County of Hawai'i

101 Aupuni Street, Suite 325, Hilo, Hawai'i 96720

Tel. No. (808) 961-8251

To: Department and Agency Heads

From: Board of Ethics

Date: August 13, 2025

Subject: Request for information on internal department policies and/or procedures relating to outside employment

The Board of Ethics (BOE) respectfully requests, pursuant to Hawai'i County Code § 2-89, that each County of Hawai'i department, through its department head or designee, provide the BOE with information relating to its internal department policies and/or procedures relating to outside employment, if any exist. The BOE further requests that the information be provided by September 2, 2025, by email to boardofethics@hawaiicounty.gov or inter-departmental mail to Office of the Corporation Counsel Attn: Board of Ethics at 101 Aupuni Street, Suite 325, Hilo, Hawai'i 96720.

If you have any questions or need clarification, please contact the BOE's secretary, Khayla-Lei Peiler, by telephone at (808) 962-8251 or by email at boardofethics@hawaiicounty.gov.

BOARD OF ETHICS, COUNTY OF HAWAI'I

By: 
LISA FUKUMITSU, Vice Chair

From: [Wallace, Tiffany](#)
To: [Board of Ethics](#)
Cc: [Kawaguchi, Craig](#); [Segawa, Wesley](#)
Subject: FW: Board of Ethics Request for Information
Date: Tuesday, August 19, 2025 11:31:10 AM
Attachments: [Board of Ethics - Letter to Department and Agency Heads.pdf](#)

Aloha,

The Department of Environmental Management does not have any written internal procedures or policies regarding outside employment.

Mahalo,
Tiffany

From: Peiler, Khayla-Lei <Khayla-Lei.Peiler@hawaiicounty.gov>
Sent: Thursday, August 14, 2025 3:48 PM
Subject: Board of Ethics Request for Information

County of Hawaii Department Heads –

The Hawaii County Board of Ethics kindly requests your review and response to the attached Letter. Please submit your responses by September 2, 2025.

A hardcopy version of the attached letter will be transferred to your Department via Inter-Departmental mail.

Thank you,

Khayla-Lei Peiler

Secretary to the Board of Ethics
Office of the Corporation Counsel
101 Aupuni St. Suite 325
Hilo, HI 96720
Phone: (808) 961-8251
Email: boardofethics@hawaiicounty.gov
khayla-lei.peiler@hawaiicounty.gov

From: [Todd, Kazuo](#)
To: [Board of Ethics](#)
Cc: [Williamson, Lauren M.K.](#); [Volpe, Daniel](#); [Peiler, Khayla-Lei](#)
Subject: Hawaii Fire Department Rules on
Date: Friday, August 15, 2025 12:57:36 PM
Attachments: [1000_02 General Rules SOP 20230517.pdf](#)
[1000_06 Disciplinary Class Rules 20230517.pdf](#)
[1000_04 General Rules for Officers SOP 20230517.pdf](#)
[Board of Ethics - Letter to Department and Agency Heads.pdf](#)

Rules on outside employment for the Hawaii Fire Department are highlighted.

Sincerely,

Fire Chief Kazuo Todd
Hawaii Fire Department
25 Aupuni St. Suite 2501
Hilo, HI. 96720
Office: 808-932-2901
Cell: 808-854-6059
<https://www.hawaiicounty.gov/departments/fire>

*Chief Todd is currently reading: **Nexus** by Yuval Harari*

1000.02	General Rules Standard Operating Procedure	
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This procedure is for internal use only and does not enlarge an employee's civil liability in any way. The procedure should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this procedure, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

Related Policies: ADM 3.3 General Rules

Applicable HI Statutes:

I. PURPOSE

To provide a listing of the general rules of operation for the Hawai'i Fire Department.

No set of rules can be devised that will provide for every circumstance and condition. It is expected that these rules will be comprehensive enough to cover in a general way, the obligations of members of the Fire Department, and to that end, that good discipline and efficiency will be maintained at all times, in a manner creditable to the Department..

II. APPLICABILITY

Establish minimum standards of conduct in the Fire Department.

III. SCOPE

This rules applies to all members of Hawai'i Fire Department. It shall be the duty of every member to maintain an up-to-date copy of the Rules and Regulations of the department, as well as all policies and procedures, and standard operating guidelines, and the collective bargaining agreement.

IV. RESPONSIBILITY

It shall be the responsibility of each member to comply with these rules. It shall be the responsibility of each Officer to see that each member under their command complies with these policies, and the collective bargaining agreement.

V. GENERAL RULES ALL MEMBERS

1. In matters of general conduct not within the scope of these Rules and Regulations members shall be governed by the customary rules of good behavior observed by law-abiding and self-respecting citizens. In all cases where members conduct themselves in a manner which may bring reproach or reflect discredit upon the Department, charges shall be preferred.
2. When a reasonable doubt exists as to the interpretation of an order issued from Fire Administration, any officer may apply to his/her chief officer within the chain of command, who will explain and interpret the order.
3. Members of the Department shall address officers by their proper titles.
4. Any member desiring to resign shall, through proper channels in writing, notify the chain of command at least 30 days prior to the effective date, provided however no charges are pending against the member. In emergencies, the Fire Chief may accept resignations without the required written notice.

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5. Prior to the effective date of retirement or resignation, each member shall deliver to the chain of command, their official badge, insignia, and any other Department property they may possess.
6. Members shall report for duty promptly as scheduled.
7. Officers observing members in uniform in public shall note any actions by such members tending to bring reproach upon the Department, and shall take proper official action.
8. Private vehicles exhibiting any political advertisements larger than a bumper sticker shall not be parked at any designated parking areas at quarters.
9. Any member having cause to believe that he has been unjustly or unfairly treated may appeal in writing through channels to the chain of command.
10. No information relative to the business affairs of the department shall be furnished to persons not connected therewith, except as authorized by the chain of command or as permitted by department policy.
11. Members may, upon application to the chain of command, be granted leaves of absence to serve military duty, because of illness, injury, or death of a member of their family, and otherwise as provided by the ordinance or laws of the County of Hawai'i, Department of Human Resource Rules and Regulations, and collective bargaining agreements.
12. Vacation for members of the department shall be assigned by the chain of command in the best interest of the department and in accordance with applicable laws, rules and regulations and procedures.
13. No officer or employee shall be financially interested, directly or indirectly, in any business involving the filling, refilling, or repairing of fire extinguishers or the manufacture of ingredients thereof.
14. No officer or employee shall engage in the selling of fire alarm or extinguishing systems during on duty or off duty hours.
15. No officer or employee shall be financially interested, directly or indirectly, in any business involving the installation or testing of fire alarm or extinguishing systems.
16. When authorized to do so, members leaving quarters while on duty shall report to the officer in charge and the officer in charge shall record in the Company Journal, a complete statement, giving exact time and purpose of leaving and location to be visited. Upon return to quarters, the member shall report to the officer in charge and the officer in charge shall record the exact time of return in the Company Journal.
17. When two or more members have been appointed to like positions on the same date, seniority shall be determined by their respective positions on the eligible lists from which they were appointed.
18. When two or more members of ranks below Fire Captain find themselves in a position which requires initiative action, the senior member will assume command until relieved by a superior officer.
19. When a member receives an order which is in conflict with a previous order he shall so inform the officer who issued the conflicting order and be governed by his instructions.
20. If any member is taking a legally prescribed drug, it is his responsibility to notify the supervisor who will determine his ability to operate equipment.

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21. The falsification of records, the making of misleading entries or statements with intent to deceive, or the willful mutilation of any Fire Department record, log, or document will be considered a cause for disciplinary action.
22. Smokeless tobacco shall be used only in accordance to current tobacco policies.
23. Punctuality is required of all members. Failure to report for duty or to place of assignment at the time specified will be considered cause for disciplinary action.
24. Tardiness shall be reported immediately.
25. Inefficiency or indifference in members in the performance of their duties shall constitute a disciplinary action, only if just cause is found as defined in the collective bargaining agreement.
26. The wrongful or injurious exercise of authority by any member of the Department will be grounds for disciplinary action against the offender.
27. Members are expressly forbidden to engage in any rough or boisterous conduct (horseplay) or similar activities that would interrupt the normal activities of the Department or that might cause accidental injury.
28. Each member will be provided a bed in which to sleep. Each member is responsible for changing linens and keeping his bed neat, clean, and orderly.
29. Members may use an apparatus bay to clean up their vehicles after 1700 hours. The bay is to be used for cleaning only (wash, dry, vacuum, wax). Members must furnish their own cleaning supplies and must clean up the area when finished.
30. Members assigned to parades, and funerals shall report directly to the officer in charge of such detail.
31. Members of any unit of the Department shall promptly report, through proper channels, to the Fire Chief any action undertaken by a member of the Department, whether such member be off-duty or on-duty at the time, which might be construed to constitute a meritorious or heroic action as defined by Departmental Regulations.
32. All personnel while on duty shall keep Fire Communications Center informed of their whereabouts and movement.
33. No animal(s) shall be allowed at the Station without permission from the chain of command.
34. The incident commander at an incident that attracts media attention may provide general information and a brief interview explaining what transpired. Information released shall be limited to known facts of a non-confidential nature. The identity of victims, confidential medical information, and matters under investigation by the department, law enforcement, or other agencies shall not be disclosed. When any other personnel receive a request from the media or the public for information about the incident, the request shall be immediately referred to the incident commander, the fire chief, or the public information officer when assigned.
35. All members of the department and members of the Volunteer Companies, irrespective of the subdivisions to which they are attached or to the duties they perform, are subject to the rules and regulations, procedures, and orders governing the uniformed force, particularly such rules and regulations that apply to conduct, discipline, and transgression of laws, and the collective bargaining agreement.

1000.02	General Rules Standard Operating Procedure	
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36. Use of personal cellular telephones is prohibited during, any training activities, while doing inspections, pre-planning or public education presentations, at emergency scenes or during responses, during any public assembly program and while driving a Fire Department apparatus, unless explicitly allowed by the chain of command.

VI. ALL MEMBERS OF THE FIRE DEPARTMENT SHALL:

1. Familiarize themselves with and be obedient to the laws, rules and regulations, procedures, and orders affecting the operation of Hawai'i Fire Department, and the collective bargaining agreement.
2. Treat the official business of the Department as confidential, including matters that are under investigation, personnel issues, and information subject to medical confidentiality laws. Members shall not release information which the public does not, by law, have access to, except when required by law, or with the approval of the chain of command. This does not prohibit explaining Department routine to visitors. Members will make every effort to protect patient privacy in accordance with state and federal laws.
3. Be governed by the ordinary and reasonable rules of behavior observed by the law-abiding and self-respecting citizens, and shall not commit any act tending to bring reproach or discredit upon the department or its members.
4. Obey all laws, rules and regulations of the Department, orders and commands issued by superior officers.
5. Promptly notify the officer in command of their assigned station or bureau of any inability to report for duty by 0630 hours on the day they are scheduled for duty.
6. Members shall report for duty promptly at the time prescribed. Members failing to report promptly for duty at the time prescribed, unless granted leave, shall be considered absent without leave (AWOL) and shall be subject to disciplinary action.
7. Familiarize themselves with the contents of all communications posted on the bulletin board.
8. Attend all fires or alarms to which they may be assigned, detailed or summoned, and assert their greatest energy or best ability to perform their full duty under any and all circumstances.
9. Keep themselves in readiness to perform their duty and not absent themselves from duty or place of assignment without specific permission of their superior officer.
10. All members while on duty shall maintain themselves in an alert and prepared condition, immediately available to respond to alarms at all times, unless specifically excused from the same.
11. Each unit shall respond to alarms and emergency incidents upon being dispatched, or upon the orders of any officer in charge when notified of the occurrence of a fire or emergency.
12. The obligation to respond to alarms and other emergencies shall take precedence over any activity or duty.
13. Members responding to alarms shall, in an orderly and efficient manner, perform all the duties required of them to accomplish their specific mission and they shall endeavor to make an intelligent and immediate response to the directions of their superior officers.

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14. Whenever a member is working in a unit other than the member's assigned unit (overtime, recall, rank for rank, or substitution), the member shall personally report to the officer in charge immediately upon the member's arrival.
15. At fires or other emergencies, members shall inform the officer in command of any dangerous or unusual conditions.
16. Exercise precautionary measures to avoid injuries to themselves and to others while in the performance of duty. Become familiar with and abide by all safety rules and all policies, orders, and manuals as issued by the Fire Department and the County of Hawai'i.
17. Exercise due caution to avoid unnecessary damage to or loss of Department property.
18. Be responsible for the safekeeping and proper care of all Department property in their charge.
19. Practice economy in the use of supplies and services and see that metered waste is avoided.
20. Accord obedience, respect, and courtesy to superior officers and those performing the duties of a higher rank.
21. Be courteous and respectful in their dealings with the public.
22. Use every precaution to avoid damage to property or injury to themselves or others, while on duty.
23. Promptly report all accidents involving damage to motor vehicles in connection with the operations of the Department.
24. Promptly notify Human Resource Division of any permanent change in residence, supplying all pertinent information.
25. Be subject to such extra-duty assignments required to cope with emergencies or to represent the department effectively in civic and other functions related to firefighting services.
26. When assigned to act in a position of higher rank, accept responsibility for the performance of the duties of that position. Report any accidents, sickness, or injury sustained while on duty to their supervisor, no matter how trivial.
27. Maintain a telephone and keep the Department informed as to their current address and telephone number. Keep their persons, uniforms, beds, and lockers in a neat, clean condition. Persistence in uncleanness or offensive habits will be just cause for disciplinary action.
28. Instruct those designated to act in their stead and satisfy themselves that their relief have ability and are capable of performing the duties to which they are assigned. Promptly notify their immediate supervisor of any matter coming to their attention that they believe would affect the interest and welfare of the department.
29. Participate in drills and other Department training activities as directed, be thoroughly familiar with all equipment they may be required to use in the full performance of their duties, and perform related work as required.
30. Meet departmental health, wellness and fitness.
31. Make suggestions for the improvement of the Fire Department or well-being of the membership will, when presented through channels, be welcomed and carefully considered. Members making recommendations for changes, alterations, or improvements

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shall consult with and report in writing to their immediate supervisor, and to no other agency unless otherwise directed by a superior officer. All such recommendations shall be forwarded in writing to the chain of command with the approval or disapproval of the intermediate officers noted thereon.

32. Be regarded as part of the working force and may be required to perform such duties as circumstances of the service demand.
33. Not go off duty before change of platoons unless properly relieved.
34. Avoid political or religious arguments in quarters or elsewhere while on duty.
35. Acquaint their successor with details of their tour of duty, giving them the keys or equipment necessary and such information as may be needed to carry out their duties.
36. Keep all wearing apparel, uniforms, and other personal belongings, when not in use, in a locker, closet, or other proper place provided for this purpose. The locker or closet shall be kept in a neat and clean condition at all times and the door kept closed. No storage will be allowed on top of any locker or refrigerator.
37. Be subject to the rules and regulations and orders that govern all Hawai'i County employees particularly such rules and regulations as they apply to conduct, discipline and transgression of regulations.
38. Promptly report the loss of any badge, uniform, identification card, equipment, or property belonging to the department that has been assigned to them.
39. Comply with all policies, procedures, and standard operating guidelines issued by the department.
40. Immediately report to their immediate supervisor any accident, sickness, or injury occurring to themselves while on duty, no matter how trivial.
41. Possess the appropriate licenses and certifications as prescribed for their positions and shall immediately report to their superior the loss, cancellation, expiration or suspension of the licenses or certificates. Failure to possess the required licenses or certificates shall be cause for Emergency Removal from Duty.
42. In the transaction of departmental business, they shall, unless otherwise ordered, operate, through their immediate supervisor.
43. Report to their immediate supervisor, the loss or finding of any department badge, book, or equipment or identification card belonging to a member of the department.
44. When relieved from duty under charges, they shall promptly surrender all department property to their immediate supervisor, who will retain such property pending the disposition of the case.
45. Notify their immediate superior officer of all matters affecting the good order, proper discipline, and efficiency of the department.
46. Private vehicles of members of the Department shall be parked only in the designated areas at stations and no private vehicle shall be parked on the apparatus floor of any unit, except when authorized by the Fire Chief.

VII. All members of the Fire Department shall not:

1. Use employment with the Hawai'i Fire Department, badge, uniform, or prestige of the department for the purpose of personal gain.

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2. Conduct himself/herself in a manner or be a party to any act which would tend to impair the good order, proper discipline, or efficiency of the department.
3. Lend his name to any commercial enterprise; nor shall the member approve or condone the use of the name and prestige of the Fire Department for any such purpose.
4. Release, disseminate or broadcast information as a *spokesperson* for the department without permission through chain of command. Members shall at all times exercise diligence to avoid holding themselves out to the public as being spokespersons for the department except when duly authorized.
5. Deliver any address, lecture or speech on a matter pertaining to this Fire Department as a *spokesperson* for the department without the approval of the chain of command. Request for such approval shall be forwarded through official channels. In this regard, members are prohibited from using their rank, title or position as a member of this department for personal or financial gain.
6. Publicly criticize or ridicule the department, its policies, or the members by verbal, written, or any other manner of expression when such action tends to impair the good order or efficiency of the department. Interferes with the ability of officers to maintain discipline, or is made with reckless for truth or falsity.
7. No member shall solicit any compensation, reward or consideration for services performed in the line of duty; nor accept any reward, gift, or donation, as a member of the Fire Department, without the approval of the chain of command.
8. Directly or indirectly intercede with a member of a hearing board, a government official, or any judicial hearing in his or her behalf or on behalf of any member of the Department, except as provided by law.
9. Gamble in quarters, county property or anywhere while on duty. This covers all types of gambling including placing bets with bookmakers by computer or telephone. Access to stations by bookmakers shall be prohibited by officers who shall be held responsible.
10. Directly or indirectly solicit the influence or intercession of any persons to effect his promotion, transfer, or other personal gain.
11. Solicit or accept the personal or financial aid of any subordinate to promote his private interests or those of any superior officer.
12. Loan, sell, give away or appropriate for their own use County property, nor shall they pilfer or be guilty of theft at fires or elsewhere.
13. Use their position with the fire department to influence the vote of any person for or against any candidate for public office.
14. Falsify records, make misleading entries or statements with intent to deceive, or willful mutilation of any Fire Department record, log, or document.
15. Damage any department property, nor handle any apparatus or equipment in a careless or reckless manner.
16. Make any purchase or incur any liability in the name of the Department without proper permission.
17. Sleep while on duty, except during the hours permitted or at other times permitted by the Fire Chief.

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18. Disturb unnecessarily the sleep of members in the dormitory or their sleeping quarters.
19. Engage in bullying, hazing, harassment, or other forms of oppressive behavior directed toward a coworker, superior or subordinate.
20. Display discriminatory or abusive behavior pertaining to politics, sex, religion, age, national origin, sexual preference, diversity, disability, or ethnicity while on duty, while in uniform, while on Department property, while in or on a department vehicle, or while representing the fire department.
21. Sell, lend nor give away any Department property, without the approval of the chain of command.
22. Use official Fire Department letterhead, envelopes, or stationery except for the transaction of the official business of the Department.
23. Affix or post any advertising, posters, flyers, for sale signs, private notices, or other disfigurements on Departmental property or apparatus without approval of the chain of command. No article, vehicle, or personal property shall be displayed on Department premises for sale. Use of the Department logo, pictures of apparatus or anything that might appear as an endorsement by this Department for private or personal business is prohibited.
24. Members in charge of Department vehicles shall not permit non-members of the Department to ride in or upon such vehicles except as authorized by department procedures or as authorized by the chain of command.
25. Parties, or gatherings of any kind shall not be held in any station for any member of the Department without the approval of the chain of command.
26. Report for, or be on duty under the influence of any alcohol or intoxicating beverage, drug or substance; nor shall be absent from duty or unfit to fully perform duties due to their use.
27. Bring or cause to be brought into quarters any alcohol or intoxicating beverage, illegal drug, or illegal substance or any ingredients used in the preparation of any intoxicant.
28. Use drugs, narcotics, or controlled substances except with the written approval of a physician.
29. Use or be under the influence of alcohol or intoxicating beverages, while on duty or otherwise in uniform, and shall not violate any portion of the Alcohol Policy.
30. Bring or cause to be brought into any work station firearms with or without ammunition.
31. Department personnel shall not participate in any unauthorized possession or threatening use of weapons to include, but not limited to firearms, ammunition, explosives, fireworks, or knives on County property at any time.
32. Be party to any malicious gossip, report, or activity which would tend to disrupt morale in the Department or bring discredit to the Department or any member thereof.
33. Use obscene, uncivil, or boisterous language while on the scene of an emergency, while on duty at the station, or anytime he or she is representing the Hawai'i Fire Department in public places.
34. Engage in any rough or boisterous conduct (horseplay) or similar activities that would interrupt the normal activities of the Department or that might cause accidental injury.
35. Engage in any altercation while on duty, in uniform, or in any activity in which the department is represented.

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36. Engage in any sexual activity while on duty, while in uniform, while on Department/County of Hawai'i property, or while representing the fire department. This includes the possession or use of printed or audiovisual material that is sexually offensive.
37. Smoking shall not be permitted at any time in the fire stations or any other place where smoking is prohibited by regulations. Smoking will be prohibited on all fire apparatus and at emergency scenes. Reasonable exceptions may be made by the officer in charge when an emergency no longer exists, but this authority will not extend to permitting smoking on firefighting apparatus at any time or under any conditions. This rule includes passenger cars.
38. Willfully disobey any reasonable order issued by his/her supervisor, nor shall he/she speak disrespectfully to any superior officer or any member of the department.
39. Park their personnel vehicles in an apparatus bay at any time except for the cleaning of their vehicle after 1700 hours. After the cleaning of their vehicles all fire department apparatus must be placed back in their designated bay.
40. Change or alter the arrangement of firefighting equipment or apparatus without the approval of the chain of command.
41. While on duty, engage in games or pastimes of any kind before 1630 hours and after 2200 hours.

The violation of any of the provisions of the rules and regulations or orders of the Fire Department, or the neglect or evasion of the duties prescribed, shall be the subject of disciplinary action.

VIII. GENERAL RULES OFFICERS

1. Officers shall be just, dignified, fair, and firm at all times.
2. Officers shall maintain order and discipline at all times. They will and shall be held responsible for the enforcement of the provisions of this Fire Department Handbook.
3. Officers shall see to it that all firefighting units under their supervision are manned by such Officers and members as may be sufficient to properly perform any required duty, within prevailing Department policies.
4. Officers shall not permit apparatus to leave the quarters unless on call, training, P.T. outside station, inspections, public education, hydrant testing, repair work, meals or other official Department business.
5. Officers shall report promptly, by a well-documented report, all violations of the law, ordinances, conduct standards, or General Orders, to their Battalion Commander.
6. Officers shall always have in quarters, a qualified driver for each line apparatus that is in service.
7. All accidents to apparatus or members must be promptly and fully reported. If possible, an accident report must be completed within twenty-four hours and before the employee (s) involved leaves their tour of duty. This must be a written report and must be signed by the employee(s) involved and their OIC. If such accident was caused by negligence or any

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incompetence of drivers, such information must be included in the report. Statements from any witnesses shall also be included in this report.

8. Officers are to insure that all personnel riding apparatus shall use proper safety equipment, including that all personnel are seated where seats are provided, and that seat belts are properly buckled before the apparatus moves.
9. Officers shall insure that all fires are extinguished with the least possible damage to life and property. Caution shall be used to prevent unnecessary damage by water or Fire Department personnel.
10. Officers shall have command of their assigned station and all equipment and shall be subject to the supervision of a Battalion Commander.
11. Officers shall have, or cause to have, visitors escorted and politely given explanations about the building and/or occupants. Visitors are not permitted in the private areas of the station, such as the sleeping quarters or showers, unless permission has been granted by the Officer on duty.
12. Officers shall not permit anyone, except a member of the Department to ride on the apparatus when responding to or returning from an alarm, except as instructed by the Deputy Chief or Fire Chief.
13. Officers shall conform to all company operations, including the keeping of necessary records, including fire incident reports and other such records as required, maintaining the watch, care and maintenance of all property, apparatus, and equipment under their command, to the standards of the Fire Chief, and shall enforce the Conduct Standards, and General Orders governing the same.
14. Officers shall forward all reports or communications that may be required to the Battalion Commander.
15. Officers shall read over all reports and narratives made by members of their shift and see that the report is intelligent and written with neatness and care.
16. Officers shall require members of his command to report at a designated area at a designated time when reporting for duty for changing of shifts. He shall read or cause to be read to the members all orders, memorandums or e-mails issued since the previous tour of duty. He shall announce the necessary instructions for the day. He shall visually inspect all members in regards to their grooming habits and uniform requirements.
17. Officers shall make or cause to be made an inspection of sleeping areas and shall require that all bedding be made up neatly and uniformly. Bedding shall be aired periodically. All members of the Fire Department, uniforms and lockers/closets are to be kept in a neat, clean condition. Persistence in uncleanness or offensive habits will be just cause for disciplinary action. All wearing apparel, uniforms and personal belongings, when not in use, are to be kept in a locker, closet, or other property place provided for this purpose. The locker or closet door shall be kept closed.
18. Officers shall not allow beds to be occupied between 0800 and 1630 hours, except in unusual cases of illness, if a firefighter has not had sufficient rest due to firefighting or EMS activities the night before.
19. Officers shall assume command of fires under prevailing procedures, and shall exercise the same until a higher-ranking Officer arrives and assumes command.

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20. Officers shall not allow the use of profane, indecent, or unseemly language, nor allow or permit members or visitors to speak disrespectfully of any other Officer or member.
21. Officers shall not allow gasoline to be used in quarters for cleaning purposes, nor permit any person to smoke or allow a naked flame of any description while and where motorized apparatus is being refueled.
22. Officers shall not allow lounging about the station by undesirable or intoxicated persons, nor shall they allow any bed or room to be occupied by any persons not a member of the Department or not regularly assigned, except by permission of the Fire Chief.
23. Officers shall see that all unnecessary lights are turned off when not in use and shall be responsible for strict economy in the use of all supplies, power, and fuel.
24. Officers shall not allow the use of tobacco products other than in designated areas.
25. Officers shall cause each new appointee to their command to be thoroughly instructed and shall see that no probationary employee is assigned to any important detail until he/she is thoroughly familiar with the duties to be performed.
26. Officers shall not allow property to be used for the storage of any automobile or other property not owned, hired by, or loaned to the County except by permission of the Fire Chief.
27. Officers shall not allow intoxicating liquors or other drugs of abuse to be brought into or used in the station.
28. Officers shall not allow radios or other instruments to be operated at a level that will disturb other members in the sleeping area during sleeping hours. Sleeping hours are between 2200 hours and 0630 hours.
29. Officers shall direct the drivers and shall control the speed of apparatus, not allowing excessive speed, within the margins of state and local safety requirements, and Department policy.
30. Officers shall have created a current list of all tools and appliances carried on their assigned apparatus. This list will be used during morning apparatus checks and upon return from an alarm. A report shall immediately be made of any damaged or missing property.
31. Officers shall see that the apparatus is, at all times, ready for use and shall be held responsible for all equipment thereon. Officers are required to report, in writing, all apparatus maintenance needs, such as tire replacement, body repair, etc.
32. Officers shall report promptly to the Battalion Commander, with all particulars thereof, if any municipal department, public service or other corporation, or any individual or any officer or employee of any such corporation or department has interfered with the work of the Department or has refused the cooperation required and necessary for the greatest efficiency of this Department.
33. No member of the Hawaii Fire Department, other than the Fire Chief or Deputy Chief, shall directly complain to or enter into any controversy with any department, corporation, or individual. The Battalion Commander shall forward all such information to the Deputy Chief.
34. Officers shall require each member of their shift to properly clothe him/herself to safeguard against sickness or injury which might be brought on by being unnecessarily

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- exposed to the weather, and will not allow members of the Department on fire grounds without proper fire equipment.
35. Officers shall not permit any changes or alterations to be made in the building or on apparatus by Company members, except by permission of the Fire Chief.
 36. Officers will ascertain the authority of any contractor, mechanic, or other person reporting at the station to make repairs, alterations, paint, install any equipment, perform any labor, or furnish any material, before permitting them to proceed. An accurate record shall be kept of time required in the performance and proper entry made in the daily journal.
 37. Officers shall forward, through the Battalion Commander, all reports addressed to the Fire Chief.
 38. Officers will see that the United States Flag and State of Hawaii Flag is in good repair and is properly illuminated. Flags will be flown at half-mast only under the orders of the Fire Chief.
 39. All incoming papers and memos shall be given to the Station Officer. Each Officer is responsible for seeing that each member of his/her Company reads and understands the information contained.
 40. Officers shall be responsible for the appearance of their personnel. Uniforms shall be neat and clean and otherwise in good condition. Work uniforms are to be used at the discretion of Station Officers.
 41. Officers are responsible to report all overtime for personnel under their command within the pay period in which it occurs.
 42. Fire Companies (engine and truck) may only conduct authorized Fire Department business while out of their station on Departmental activities.
 43. Officers shall not permit horseplay when such activity contributes to the injury or ineffectiveness of the employee, the public, another employee, or damage to City property at any time.
 44. Officers shall not permit unauthorized possession, threatening use of weapons to include, but not limited to firearms, ammunition, explosives, fireworks, or knives on City property at any time.
 45. Officers shall not participate or permit participation in non-departmental related work/activities while on duty, which interferes with job description.
 46. Officers shall not distribute or permit unauthorized distribution of any County or Departmental written or printed material of any description.
 47. Officers shall not permit any mistreatment of a patient, client, visitor, or any other individual and shall report any such action to the Battalion Commander.
 48. Officers shall not endanger or permit endangering the health or safety of self or others.
 49. Officers shall not permit destruction, abuse or unauthorized use of County property or equipment.
 50. Officers shall not permit conduct unbecoming a public employee including actions which reflect unfavorably on the efficiency of the County, cause embarrassment or are damaging to the County or in general reflect unfavorably on the County, its employees or its citizens.

IX. POSITION SPECIFIC DUTIES

**1. Fire Chief**

- a. The Chief shall be the administrative head of and have control of all activities of the Fire Department, including Fire/Rescue/Hazardous Materials Response, Emergency Medical Services, Ocean Safety and Fire Prevention and Investigation services. He/she shall be responsible for the proper management, discipline and training of the members.
- b. The Chief shall have the power and authority to organize, manage and control the various divisions, bureaus, boards, committees, corps, etc., which in his/her judgment may be for the best interest of the service, all subject to and in such manner as provided by the Ordinances of the City of Hilo and County of Hawaii and Laws of the State.
- c. The Chief shall have the power and authority to establish suitable measures to put into effect the policy, rules and regulations, practices and procedures necessary for the efficient operation of the Fire Department.
- d. The Chief shall from time to time, recommend to the Mayor, the selection of new sites, changes in the location of the houses and companies, the building of new houses, the purchase of new apparatus, hose, implements, etc., and sale of old hose, equipment, etc., not necessary for use in the operation and maintenance of the Department, giving his/her reason for such action and shall furnish annually to the Mayor a budget of the amounts required for the ensuing year in the manner that may be prescribed by the laws and ordinances.
- e. He/she shall cause to be kept in proper form an accurate record of all business transacted by the Department and is encouraged to take part in off-the shelf department management software to reduce and eliminate paper copies to the extent possible.
- f. He/she may reprimand, suspend or remove, from the service, any member of the Fire Department in such manner as determined by the Collective Bargaining Agreement, and in conjunction with the Rules of Civil Service of the County of Hawaii and these Rules and Regulations.
- g. He/she may grant leaves of absence to members of the Department in such manner as provided by laws and ordinances of the County of Hawaii.
- h. He/she shall cause all injurious or dangerous fires to be extinguished with the least possible danger to life and property and prevent unnecessary damage at fires by the use of water or other extinguishing agents and equipment.
- i. The Chief shall have power in the event of fire or other emergencies to demolish buildings and parts of buildings which, in his/her judgment, might endanger life or cause further damage to property.
- j. The Chief shall have full power during a conflagration or other extraordinary emergency, to temporarily suspend the operation of the three platoon system and recall the off duty platoon to service.
- k. The Chief shall cause subordinates to take proper precautionary measures that the premises on which fires occur are left in such condition that they will not rekindle and further endanger life or property.
- l. The Chief may at his/her discretion call a meeting of the Chief Officers. These meetings, as far as practicable, will be held on alternate platoons and all Chiefs shall be present unless excused.



m. The Chief, or their designee, shall regulate the manner of wearing the uniform and equipment appurtenant to the attire of members.

n. Nothing in these rules and regulations shall be construed to limit the power, discretion and authority granted the Chief as the General Manager of the Department by the County Charter or other applicable statutes (State and Federal Laws) in the operation of extinguishing any fire, taking necessary precautions to prevent the spread thereof, the rekindle thereof, or in administering the affairs of the Fire Department. This rule shall be construed to mean that an order or rule of the County Council to the contrary not having been issued, or not in contradiction with the collective bargaining agreement, the Chief shall have the authority to administer the Department.

2. Deputy Fire Chief

a. The Deputy Chief shall rank next below the chief in authority; and in the absence of the Chief, he/she shall assume responsible control of the Department, perform the duties and exercise the powers incidental to the office of the Chief.

b. The Deputy Chief shall see that all laws, ordinances, rules, regulations, orders or directions for the government of the Department are promptly and implicitly enforced and obeyed and that all derelictions or transgressions that may come to his/her knowledge are promptly investigated and reported to the Chief.

c. The Deputy Chief, or their designee, shall be the personnel officer of the Fire Department with the authority to assign, detail or transfer members as he/she may deem necessary for the best interest of the service, all subject to the approval of the Chief.

d. The Deputy Chief shall direct and coordinate the application of established policy, rules and regulations, practices and procedures, and shall from time to time confer with the Ranking Chief Officers, coordinating their duties for the purpose of uniform government of each platoon.

e. The Deputy Chief shall designate the platoon of each Battalion area.

f. When complaints or written charges preferred against a member are of such nature as to warrant, he/she may appoint two Chief Officers to constitute a Board of Inquiry, which together with himself/herself, shall conduct an informal review of the fact involved to determine the disposition of that case.

g. The Deputy Chief shall be responsible for the assignment of a "first-in-district" to each Company. He/she shall ascertain that all parts of the City are incorporated within the Company.

h. The Deputy Chief shall cause to be formulated such drills and evolutions as may be necessary to promote and maintain efficiency in operations of the Department, subject to any training officer who may be designated by the Chief, and, in the final analysis, subject to the approval of the chief personally. All drills and evolutions formulated to promote the effect of such drills and evolutions is a change in procedures established for operations of the Department.

i. In the absence of Chief Officers, he/she shall designate members from the next lower rank to act in their stead.



- j. The Deputy Chief shall examine all communications forwarded through his/her office and when necessary make investigations and report.
- k. The Deputy Chief shall cause the Rules and Regulations, the Manual of Operations and all other information supplemental thereof to be maintained in an up-to-date condition.
- l. The Deputy Chief shall respond to alarms and special calls, as prescribed, and assume command, subordinate to the Chief.
- m. His/her hours of service shall be determined by and subject to the direction of the Chief.
- n. The Deputy Chief, or their designee, shall keep a roster of the entire membership of the Department. He/she shall ensure the balance of personnel between platoons by appropriate transfer or detail of subordinates is maintained.
- o. The Deputy Chief shall keep a complete record of the apparatus being out of service, shall assign relief apparatus for replacement when necessary.
- p. The Deputy Chief shall receive and properly dispose of reports from Bureaus and Departmental units, incorporating recommendations and suggestions when the nature of the subjects so require.
- q. The Deputy Chief shall attend such meetings of the various officers as may be required or desirable.
- r. The Deputy Chief shall visit the different Departmental units as often as is consistent with his/her duties and make such observations and investigations as may be necessary to thoroughly familiarize themselves with the conditions of the service.

3. Assistant Fire Chiefs

- a. Assistant Fire Chiefs will be assigned to a function (Operations, Support Services) and will rank next below the Deputy Chief in authority on all matters concerning the Department.
- b. Each Assistant Fire Chief shall be assigned specific duties under their job description by the Chief.
- c. They shall be in charge of their Division and have the authority to manage and supervise the subordinates assigned to their Division.
- d. They will effectively enforce the established policies, rules and regulations, practices and procedures of the Department. They shall be responsible for the condition, efficiency and distribution of personnel under their chain of command.
- e. They shall keep a record of all resources in their division; and upon notice of a resource being out of service, they shall arrange for repair and/or replacement of that resource.
- f. They shall call meetings when such are necessary. They shall preside at these meetings. They shall notify the Deputy Chief of the date and time of such meetings.
- g. They shall conduct quarterly inspections of personnel, quarters, apparatus and equipment. They shall thoroughly note any evidence of neglect, carelessness or improper attention to duty and cause the correction of any deficiency found. Quarterly inspection report shall be submitted to the Deputy Fire Chief within two weeks of the inspection.

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- h. They shall make such inspections, observations and investigations as may be necessary to keep themselves thoroughly informed of conditions of the service under their command.
- i. They shall oversee and administer the utilization of manpower, apparatus, equipment, and other resources in a unified and balanced manner to accomplish fire suppression, search and rescue missions, ambulance and aeromedical services, and other related duties.
- j. They shall plan and enforce drill and training activities and organize operations consistent with Department policies and procedure for the most efficient utilization of man- power and resources.
- k. They shall prepare and submit reports regarding division activities and needs.
- l. In the absence of the Deputy Fire Chief, he/she serves as the departmental liaison officer for all Civil Defense programs. Also serves on various integrated emergency management committees as designated by the Fire Chief.

4. Battalion Chief (Operations)

- a. Co-manages and co-directs all the activities of the Battalion of the Hawaii Fire Department. Supervises Fire Apparatus Trainer. Executes departmental goals, policies and procedures.
- b. Executes employee-management relations programs and policies for the employees under his/her direction and supervision and cause the equal and effective application of all personnel matters and fringe benefits in accordance with Civil Service regulations, collective bargaining agreements, departmental rules and regulation, policies and procedures. Reviews complaints and grievances and takes appropriate action to resolve the same. Delegated authority to discipline subordinate officers or employees for infractions or violations of any prescribed rule, regulation, policy or procedure if just and proper cause is found as defined in the collective bargaining agreement.
- c. They shall oversee and administer the utilization of manpower, apparatus, equipment, and other resources in a unified and balanced manner to accomplish fire suppression, search and rescue missions, ambulance and aeromedical services, and other related duties.
- d. They shall plan and enforce drill and training activities and organize operations consistent with Department policies and procedure for the most efficient utilization of man- power and resources.
- e. They shall assess the nature and cause of fires and estimate losses; determine when the fire is under control or the emergency mission is completed and return personnel and equipment to their stations.
- f. They will assure that cleanup and salvage operations are completed and alarm equipment and devices are restored to working order.
- g. They shall prepare and submit semi-annual reports regarding Battalion activities and needs.
- h. They shall respond to and take command at major fires, search and rescue calls, and hazmat incidents. They shall report such incidents to the Deputy Fire Chief at start of business the following day.



5. Battalion Chief (EMS)

- a. Plans and administers the activities of the Emergency Medical Services Bureau and the delivery of the emergency medical services (EMS) program to provide County-wide emergency pre-hospital care and emergency ambulance services.
- b. Monitors activities to ensure the quality of pre-hospital ambulance services to include the aeromedical helicopter operations.
- c. Oversees and monitors the activities of the ambulance and aeromedical unit to ensure compliance with federal and state regulations.
- d. Serves as the department's liaison in health planning and coordinates activities with other governmental and private agencies or community organizations.
- e. Recommends, develops, and implements administrative and operating policies and procedures in the respective bureau; evaluates and recommends improvements thereto.
- f. Participates in planning for major disasters and serves as departmental liaison for civil defense programs.
- g. Oversees bureau's program budget; assesses manpower needs and improvements in equipment or facilities; prepares recommendations and justifications for budget requests; authorizes expenditures consistent with approved budget.
- h. Keeps abreast of new laws, regulations, and training requirements and implements changes to operating policies and procedures.
- i. Exercises disciplinary authority consistent with departmental policies and civil service rules.
- j. Prepares and submits required reports regarding bureau activities
- k. Reviews administrative and fiscal reports for accuracy.
- l. Instructs relief commander of duties to be performed.
- m. May chair or participate as a member of a promotion selection panel as designated by the Fire Chief and make effective recommendation for selections; ensures appropriate training of personnel.
- n. May relieve or represent superior officers.
- o. Performs other related duties as assigned.

6. Battalion Chief (FASO)

- a. Plans and administers the activities of the Auxiliary Services Bureau including communications, warehouse, and maintenance activities.
- b. Oversees the selection, purchase, and modification of communications, fire equipment, and fire apparatus.
- c. Maintains adequate supplies and provisions for distribution to personnel and fire stations.
- d. Serves as the department's custodian of records.
- e. Recommends, develops, and implements administrative and operating policies and procedures in the respective bureau; evaluates and recommends improvements thereto.
- f. Participates in planning for major disasters and serves as departmental liaison for civil defense programs.



- g. Oversees bureau's program budget; assesses manpower needs and improvements in equipment or facilities; prepares recommendations and justifications for budget requests; authorizes expenditures consistent with approved budget.
- h. Keeps abreast of new laws, regulations, and training requirements and implements changes to operating policies and procedures.
- i. Exercises disciplinary authority consistent with departmental policies and civil service rules.
- j. Prepares and submits required reports regarding bureau activities
- k. Reviews administrative and fiscal reports for accuracy.
- l. Instructs relief commander of duties to be performed.
- m. May chair or participate as a member of a promotion selection panel as designated by the Fire Chief and make effective recommendation for selections; ensures appropriate training of personnel.
- n. May relieve or represent superior officers.
- o. Performs other related duties as assigned.

7. Battalion Chief (Prevention)

- a. Plans and administers the activities of the Fire Prevention Bureau including the development and enforcement of fire regulations and codes, and the inspection and investigation of fires.
- b. Participates in preplanning activities and scheduling fire safety and prevention inspections.
- c. Coordinates the fire prevention and code compliance efforts between the Fire Prevention Bureau and the public.
- d. Recommends, develops, and implements administrative and operating policies and procedures in the respective bureau; evaluates and recommends improvements thereto.
- e. Participates in planning for major disasters and serves as departmental liaison for civil defense programs.
- f. Oversees bureau's program budget; assesses manpower needs and improvements in equipment or facilities; prepares recommendations and justifications for budget requests; authorizes expenditures consistent with approved budget.
- g. Keeps abreast of new laws, regulations, and training requirements and implements changes to operating policies and procedures.
- h. Exercises disciplinary authority consistent with departmental policies and civil service rules.
- i. Prepares and submits required reports regarding bureau activities
- j. Reviews administrative and fiscal reports for accuracy.
- k. Instructs relief commander of duties to be performed.
- l. May chair or participate as a member of a promotion selection panel as designated by the Fire Chief and make effective recommendation for selections; ensures appropriate training of personnel.
- m. May relieve or represent superior officers.
- n. Performs other related duties as assigned.

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This procedure is for internal use only and does not enlarge an employee's civil liability in any way. The procedure should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this procedure, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

Related Policies: ADM 3.4 General Rules for Officers

Applicable HI Statutes:

I. PURPOSE

To provide a list of the general rules for the Officers of the Hawai'i Fire Department. For the purpose of this SOP, the term Officer applies to all personnel responsible for the supervision of subordinate employees.

II. APPLICABILITY

This Procedure is applicable to all officers, and it shall be the responsibility of each Officer to comply with and enforce these policies and guidelines, and direct and supervise employees in conjunction with the collective bargaining agreement.

III. PROCEDURES

1. Officers shall be just, dignified, fair, and firm at all times.
2. Officers shall maintain order and discipline at all times. They will and shall be held responsible for the enforcement of the provisions of these procedures.
3. Officers shall ensure that all firefighting units under their supervision, are manned by such Officers and members, as may be sufficient to properly perform any required duty, within prevailing Department policies.
4. Officers shall not permit apparatus to leave the quarters unless on call, training, P.T. outside station, inspections, public education, hydrant testing, repair work, meals or other official Department business.
5. Officers shall report promptly, by a well-documented report, all violations of the law, ordinances, conduct standards, or General Orders, to their Battalion Chief.
6. Officers shall always have in quarters, a qualified driver for each line apparatus that is in service.
7. All accidents to apparatus or members must be promptly and fully reported. If possible, an accident report must be completed within twenty-four hours and before the employee (s) involved leaves their tour of duty. This must be a written report and must be signed by the employee(s) involved and their OIC. If such accident was caused by negligence or any incompetence of drivers, such information must be included in the report. Statements from any witnesses shall also be included in this report.
8. Officers are to ensure that all personnel riding within an apparatus or other vehicle shall use proper safety equipment, including that all personnel are seated where seats are provided, and that seat belts are properly buckled before the apparatus moves.
9. Officers shall insure that all fires are extinguished with the least possible damage to life and property. Caution shall be used to prevent unnecessary damage by water or Fire Department personnel.

Implemented: May 2023	Revised: N/A	Next Review: May 2026
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1000.04	General Rules for Officers Standard Operating Procedure	
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10. Officers shall have command of their assigned station and all equipment and shall be subject to the supervision of a Battalion Chief.
11. Officers shall have, or cause to have, visitors escorted and politely given explanations about the building and/or occupants. Visitors are not permitted in the private areas of the station, such as the sleeping quarters or showers, unless permission has been granted by the Officer on duty.
12. Officers shall not permit anyone, except a member of the Department to ride on the apparatus when responding to or returning from an alarm, except as instructed by the chain of command.
13. Officers shall conform to all company operations, including the keeping of necessary records, including fire incident reports and other such records as required, maintaining the watch, care and maintenance of all property, apparatus, and equipment under their command, to the standards of the Department, and shall enforce the Conduct Standards, and General Orders governing the same.
14. Officers shall forward all reports or communications that may be required to the Battalion Chief.
15. Officers shall read over all reports and narratives made by members of their shift and see that the report is properly written and presented with a high degree of professionalism.
16. Officers shall require members of his command to report at a designated area at a designated time when reporting for duty for changing of shifts. He shall read or cause to be read to the members all orders, memorandums or e-mails issued since the previous tour of duty. He shall announce the necessary instructions for the day. He shall visually inspect all members in regards to their grooming habits and uniform requirements.
17. Officers shall make or cause to be made an inspection of sleeping areas and shall require that all bedding be made up neatly and uniformly. Bedding shall be aired periodically. All members of the Fire Department, uniforms and lockers/closets are to be kept in a neat, clean condition. Persistence in uncleanness or offensive habits will be just cause for disciplinary action. All wearing apparel, uniforms and personal belongings, when not in use, are to be kept in a locker, closet, or other property place provided for this purpose. The locker or closet door shall be kept closed.
18. Officers shall not allow beds to be occupied between 0800 and 1630 hours, except in unusual cases of illness, if a firefighter has not had sufficient rest due to firefighting or EMS activities the night before.
19. Officers shall assume command of fires under prevailing procedures, and shall exercise the same until a higher-ranking Officer arrives and assumes command.
20. Officers shall not allow the use of profane, indecent, or unseemly language, nor allow or permit members or visitors to speak disrespectfully of any other Officer or member.
21. Officers shall not allow gasoline to be used in quarters for cleaning purposes, nor permit any person to smoke or allow a naked flame of any description while and where motorized apparatus is being refueled.
22. Officers shall not allow lounging about the station by undesirable or intoxicated persons, nor shall they allow any bed or room to be occupied by any persons not a member of the Department or not regularly assigned, except by permission of the chain of command.

Implemented: May 2023	Revised: N/A	Next Review: May 2026
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1000.04	General Rules for Officers Standard Operating Procedure	
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23. Officers shall see that all unnecessary lights are turned off when not in use and shall be responsible for strict economy in the use of all supplies, power, and fuel.
24. Officers shall not allow the use of tobacco products other than in designated areas.
25. Officers shall cause each new appointee to their command to be thoroughly instructed and shall see that no probationary employee is assigned to any important detail until he/she is thoroughly familiar with the duties to be performed.
26. Officers shall not allow property to be used for the storage of any automobile or other property not owned, hired by, or loaned to the County except by permission of the chain of command.
27. Officers shall not allow alcohol or other intoxicating beverages or other drugs of abuse to be brought into or used in the station.
28. Officers shall not allow radios or other instruments to be operated at a level that will disturb other members in the sleeping area during sleeping hours. Sleeping hours are between 2200 hours and 0630 hours.
29. Officers shall direct the drivers and shall control the speed of apparatus, not allowing excessive speed, within the margins of state and local safety requirements, and Department policy.
30. Officers shall have created a current list of all tools and appliances carried on their assigned apparatus. This list will be used during morning apparatus checks and upon return from an alarm. A report shall immediately be made of any damaged or missing property.
31. Officers shall see that the apparatus is, at all times, ready for use and shall be held responsible for all equipment thereon. Officers are required to report, in writing, all apparatus maintenance needs, such as tire replacement, body repair, etc.
32. Officers shall report to the Battalion Chief, if any municipal department, public service or other corporation, or any individual or any officer or employee of any such corporation or department has interfered with the work of the Department.
33. No member of the Hawaii Fire Department, other than the Fire Chief or Deputy Chief, shall directly complain to or enter into any controversy with any department, corporation, or individual. The Battalion Chief shall forward all such information to the Deputy Chief through the Assistant Fire Chief.
34. Officers shall require each member of their shift to follow the Uniform Policy and take steps to safeguard against sickness or injury which might be brought on by being unnecessarily exposed to the weather.
35. Officers shall not permit any changes or alterations to be made in the building or on apparatus by Company members, except by permission of the chain of command.
36. Officers will ascertain the authority of any contractor, mechanic, or other person reporting at the station to make repairs, alterations, paint, install any equipment, perform any labor, or furnish any material, before permitting them to proceed. An accurate record shall be kept of time required in the performance and proper entry made in the daily journal.
37. Officers shall forward, through the Battalion Commander, all reports addressed to the Fire Chief.

Implemented: May 2023	Revised: N/A	Next Review: May 2026
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1000.04	General Rules for Officers Standard Operating Procedure	
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38. Officers will see that the United States Flag and State of Hawaii Flag is in good repair and is properly illuminated. Flags will be flown at half-mast only under the orders of the Fire Chief.
39. All incoming papers and memos shall be given to the Station Officer. Each Officer is responsible for seeing that each member of his/her Company reads and understands the information contained.
40. Officers shall be responsible for the appearance of their personnel. Uniforms shall be neat and clean and otherwise in good condition. Work uniforms are to be used at the discretion of Station Officers.
41. Officers are responsible to report all overtime for personnel under their command within the pay period in which it occurs.
42. Fire Companies (engine and truck) may only conduct authorized Fire Department business while out of their station on Departmental activities.
43. Officers shall not permit horseplay when such activity contributes to the injury or ineffectiveness of the employee, the public, another employee, or damage to City property at any time.
44. Officers shall not permit unauthorized possession, threatening use of weapons to include, but not limited to firearms, ammunition, explosives, fireworks, or knives on Department premises at any time.
45. Officers shall not participate or permit participation in non-departmental related work/activities while on duty, which interferes with job description.
46. Officers shall not permit any mistreatment of a patient, client, visitor, or any other individual and shall report any such action to the Battalion Commander.
47. Officers shall not endanger or permit endangering the health or safety of self or others.
48. Officers shall not permit destruction, abuse or unauthorized use of County property or equipment.
49. Officers shall not permit conduct unbecoming a public employee including actions which reflect unfavorably on the efficiency of the County, cause embarrassment or are damaging to the County or in general reflect unfavorably on the County, its employees or its citizens.

1000.06	Disciplinary Class Rules Standard Operating Procedure	
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This procedure is for internal use only and does not enlarge an employee's civil liability in any way. The procedure should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this procedure, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

Related Policies: ADM 3.5 Disciplinary Guide, ADM 3.6 Disciplinary Action

Applicable HI Statutes:

I. PURPOSE

To provide the disciplinary actions and listing for Class “A” through “E” Rules.

II. APPLICABILITY

This Procedure is applicable to all member of the Hawai'i Fire Department and it shall be the responsibility of all members to comply with and follow these policies and guidelines.

III. OBJECTIVE

To maintain standards of conduct in the Hawai'i Fire Department.

VI. PROCEDURE

Class A:

56 hour Employee

- 1st Verbal Reprimand
- 2nd Written Reprimand
- 3rd Suspension 1 work shift
- 4th Suspension 3 work shifts
- 5th Suspension 5 work shifts
- 6th Demotion in Rank
- 7th Dismissal

40 hour Employee

- Verbal Reprimand
- Written Reprimand
- Suspension 2 work days
- Suspension 6 work days
- Suspension 10 work days
- Demotion in Rank
- Dismissal

Class “A” Rules - All members shall not:

1. Deliver any address, lecture or speech on a matter pertaining to this Fire Department as a **spokesperson** for the department without the approval of the Fire Chief. Request for such approval shall be forwarded through official channels. In this regard, members are prohibited from using their rank, title or position as a member of this department for personal or financial gain.
2. Smoking shall not be permitted at any time in the fire stations or any other place where smoking is prohibited by regulations. Smoking will be prohibited on all fire apparatus and at emergency scenes. Reasonable exceptions may be made by the officer in charge when an emergency no longer exists, but this authority will not extend to permitting smoking on firefighting apparatus at any time or under any conditions. This rule includes passenger cars.

1000.06	Disciplinary Class Rules Standard Operating Procedure	
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3. Permit apparatus to leave the quarters unless on call, training, P.T. outside station, inspections, public education, hydrant testing, and repair work, meals or other official Department business.
4. Permit visitors in the private areas of the station, such as the sleeping quarters or showers, unless permission has been granted by the Officer on duty.
5. Allow beds to be occupied between 0800 and 1630 hours, except in unusual cases of illness, if a firefighter has not had sufficient rest due to firefighting or EMS activities the night before.
6. Radios or other instruments to be operated at a level that will disturb other members in the sleeping area during sleeping hours. Sleeping hours are between 2200 hours and 0630 hours.
7. Participate or permit participation in non-departmental related work/activities while on duty, which interferes with job description.

Class B:

56 hour Employee

- 1st Written Reprimand
- 2nd Suspension 1 work shift
- 3rd Suspension 3 work shifts
- 4th Suspension 5 work shifts
- 5th Demotion in Rank
- 6th Dismissal

40 hour Employee

- Written Reprimand
- Suspension 2 work days
- Suspension 6 work days
- Suspension 10 work days
- Demotion in Rank
- Dismissal

Class “B” Rules - All members shall not:

1. Engage in any other business, occupation, or calling for compensation.
2. Sleep while on duty, except during the hours permitted or at other times permitted by the Fire Chief.
3. Use official Fire Department letterhead, envelopes, or stationery except for the transaction of the official business of the Department.
4. Permit non-members of the Department to ride in or upon such vehicles except as authorized by department procedures or as authorized by the Fire Chief.
5. Affix or post any advertising, posters, flyers, for sale signs, private notices, or other disfigurements on Departmental property or apparatus without approval of the Fire Chief. No article, vehicle, or personal property shall be displayed on Department premises for sale. Use of the Department logo, pictures of apparatus or anything that might appear as an endorsement by this Department for private or personal business is prohibited.
6. Disturb unnecessarily the sleep of members in the dormitory or their sleeping quarters.
7. Park their personnel vehicles in an apparatus bay at any time except for the cleaning of their vehicle after 1700 hours. After the cleaning of their vehicles all fire department apparatus must be placed back in their designated bay.
8. Permit any changes or alterations to be made in the building or on apparatus by Company members, except by permission of the Fire Chief.
9. Engage in games or pastimes of any kind before 1630 hours and after 2200 hours.

Implemented: May 2023	Revised: N/A	Next Review: May 2026
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1000.06	Disciplinary Class Rules Standard Operating Procedure	
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10. Allow gasoline to be used in quarters for cleaning purposes, nor permit any person to smoke or allow a naked flame of any description while and where motorized apparatus is being refueled.

Class C:

56 hour Employee

- 1st Suspension 1 work shift
- 2nd Suspension 3 work shifts
- 3rd Suspension 5 work shifts
- 4th Dismissal

40 hour Employee

- Suspension 2 work days
- Suspension 6 work days
- Suspension 10 work days
- Dismissal

Class “C” Rules - All members shall not:

1. Use obscene, uncivil, or boisterous language while on the scene of an emergency, while on duty at the station, or anytime he or she is representing the Hawai'i Fire Department in public places.
2. Allow the use of profane, indecent, or unseemly language, nor allow or permit members or visitors to speak disrespectfully of any other Officer or member.
3. Be party to any malicious gossip, report, or activity which would tend to disrupt morale in the Department or bring discredit to the Department or any member thereof.
4. Engage in any rough or boisterous conduct (horseplay) or similar activities that would interrupt the normal activities of the Department or that might cause accidental injury.
5. Make any purchase or incur any liability in the name of the Department without proper permission.
6. Accept any reward, gift, or donation, as a member of the Fire Department, without the approval of the Fire Chief.
7. Conduct himself/herself in a manner or be a party to any act which would tend to impair the good order, proper discipline, or efficiency of the department.
8. Release, disseminate or broadcast information as a *spokesperson* for the department without permission through chain of command. Members shall at all times exercise diligence to avoid holding themselves out to the public as being spokespersons for the department except when duly authorized.
9. Absent themselves from duty or place of assignment without specific permission from their supervisor or superior officer. Members shall report for duty promptly at the time prescribed. Members failing to report promptly for duty at the time prescribed, unless granted leave, shall be considered absent without leave (AWOL).
10. Go off duty before change of platoon unless properly relieved.
11. Allow lounging about the station by undesirable or intoxicated persons, nor shall they allow any bed or room to be occupied by any persons not a member of the department or not regularly assigned, except by permission of the Fire Chief.
12. Allow property to be used for the storage of any automobile or other property not owned, hired by, or loaned to the County except by permission of the Fire Chief.

Implemented: May 2023	Revised: N/A	Next Review: May 2026
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1000.06	Disciplinary Class Rules Standard Operating Procedure	
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13. Permit anyone, except a member of the Department to ride on the apparatus when responding to or returning from an alarm, except as instructed by the Deputy Chief or Fire Chief.

Class D:

<u>56 hour Employee</u>	<u>40 hour Employee</u>
1 st Suspension 3 work shift	Suspension 6 work days
2 nd Suspension 5 work shifts	Suspension 10 work days
3 rd Suspension 10 work shifts	Suspension 20 work days
4 th Dismissal	Dismissal

Class “D” Rules - All members shall not:

1. Use employment with the Hawai’i Fire Department, badge, uniform, or prestige of the department for the purpose of personal gain.
2. Lend his name to any commercial enterprise; nor shall the member approve or condone the use of the name and prestige of the Fire Department for any such purpose.
3. Publicly criticize or ridicule the department, its policies, or the members by verbal, written, or any other manner of expression when such action tends to impair the good order or efficiency of the department. Interferes with the ability of officers to maintain discipline, or is made with reckless for truth or falsity.
4. Gamble in quarters, county property or anywhere while on duty. This covers all types of gambling including placing bets with bookmakers by computer or telephone. Access to stations by bookmakers shall be prohibited by officers who shall be held responsible.
5. Directly or indirectly intercede with a member of a hearing board, a government official, or any judicial hearing in his or her behalf or on behalf of any member of the Department, except as provided by law.
6. Solicit any compensation, reward or consideration for services performed in the line of duty.
7. Directly or indirectly solicit the influence or intercession of any persons to effect his promotion, transfer, or other personal gain.
8. Solicit or accept the personal or financial aid of any subordinate to promote his private interests or those of any superior officer.
9. Use their position with the fire department to influence the vote of any person for or against any candidate for public office.
10. Damage any department property, nor handle any apparatus or equipment in a careless or reckless manner.
11. Hold any parties or gatherings of any kind in any station for any member of the department without the approval of the Fire Chief.
12. Willfully disobey any reasonable order issued by his/her supervisor, nor shall he/she speak disrespectfully to any superior officer or any member of the department.
13. Permit conduct unbecoming a public employee including actions which reflect unfavorably on the efficiency of the County, cause embarrassment or are damaging to the County or in general reflect unfavorably on the County, its employees or its citizens.

Implemented: May 2023	Revised: N/A	Next Review: May 2026
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1000.06	Disciplinary Class Rules Standard Operating Procedure	
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Class E:

24 hour Employee

1st Suspension 10 work shifts

2nd Dismissal

8 hour Employee

Suspension 20 work days

Dismissal

Class “E” Rules - All members shall not:

1. Bring or cause to be brought into the any work station any firearms with or without ammunition.
2. Participate in any unauthorized possession or threatening use of weapons to include, but not limited to firearms, ammunition, explosives, fireworks, or knives while on duty, while in uniform, while on Department/County of Hawai’i property, while in department vehicle, or while representing the fire department at any time.
3. Display discriminatory or abusive behavior pertaining to politics, sex, religion, age, national origin, sexual preference, diversity, disability, ethnicity while on duty, while in uniform, while on Department/County of Hawai’i property, while in department vehicle, or while representing the fire department.
4. Engage in bullying, hazing, harassment, or other forms of oppressive behavior directed toward a coworker, superior or subordinate.
5. Engage in any physical altercation or violence while on duty, while in uniform, while on Department/County of Hawai’i property, or while representing the fire department.
6. Bring or cause to be brought into quarters any intoxicating liquor, illegal drug, or illegal substance or any ingredients used in the preparation of any intoxicant.
7. Permit any intoxicating liquor, illegal drug, or illegal substance or any ingredients used in the preparation of any intoxicant to be carried on, transported by, or stored upon any fire department vehicle.
8. Permit any intoxicating liquor, illegal drug, or illegal substance or any ingredients used in the preparation of any intoxicant to be brought onto, stored upon, or possessed by any employee on the premises of any operational portion of a fire station, including but not limited to the apparatus floor, the station living areas, lockers, equipment rooms, storage areas, bathroom and shower facilities, sitting rooms, etc. This also includes Lifeguard Towers and Dispatch Center.
9. Sell, lend nor give away any Department property, without the approval of the Fire Chief.
10. Appropriate for their own use any department or county property.
11. Pilfer or steal at fires or anywhere elsewhere while on duty, while in uniform, while on Department/County of Hawai’i property, or while representing the fire department.
12. Falsify reports, records, make misleading entries or statements with intent to deceive, or willful mutilation of any Fire Department record, log or document.
13. Engage in any sexual activity while on duty, while in uniform, while on Department/County of Hawai’i property, or while representing the fire department. This includes the possession or use of printed or audiovisual material that is sexually offensive.
14. Permit or cause destruction, abuse or unauthorized use of County property or equipment.
15. Endanger or permit endangering the health or safety of self or others.

Implemented: May 2023	Revised: N/A	Next Review: May 2026
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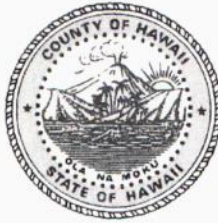
1000.06	Disciplinary Class Rules Standard Operating Procedure	
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16. Engage in horseplay when activities contributes to the injury or ineffectiveness of the employee, the public, another employee, or damage to City property at any time.

C. Kimo Alameda, Ph.D.
Mayor

William V. Brilhante, Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director



Sommer J. Tokihiro
Director of Human Resources

Danny B. Patel
Deputy Director of Human Resources

County of Hawai'i Department of Human Resources

Aupuni Center • 101 Pauahi Street, Suite 2 • Hilo, Hawai'i 96720 • (808) 961-8361 • Fax (808) 961-8617
website: <http://hawaiiicounty.gov/human-resources> e-mail: jobs@hawaiiicounty.gov

Memorandum

To: Lisa Fukumitsu, Vice Chair
Board of Ethics, County of Hawai'i

Via: Office of the Corporation Counsel, Attn Board of Ethics

From: Sommer J. Tokihiro, Director of Human Resources *[Signature]*

Date: August 25, 2025

Subject: Request for Information on Internal Department Policies and/or
Procedures Relating to Outside Employment

This is in response to your August 13, 2025 request for information pursuant to Hawai'i County Code §2-89.

The Department of Human Resources does not have any internal departmental or County-wide policies or procedures related to outside employment. If you have any questions or need additional information, please contact Lee Botelho at (808) 961-8361 or by email at Lee.Botelho@hawaiiicounty.gov.

Thank you.

From: [Muramoto, Jean](#)
To: [Board of Ethics](#)
Subject: FW: Board of Ethics Request for Information
Date: Tuesday, August 19, 2025 2:17:30 PM
Attachments: [Board of Ethics - Letter to Department and Agency Heads.pdf](#)

Good afternoon,

The Department of Information Technology does not have a policy/procedure in place regarding outside employment.

Thank you,
Jean

From: Peiler, Khayla-Lei <Khayla-Lei.Peiler@hawaiicounty.gov>
Sent: Thursday, August 14, 2025 3:48 PM
Subject: Board of Ethics Request for Information

County of Hawaii Department Heads –

The Hawaii County Board of Ethics kindly requests your review and response to the attached Letter. Please submit your responses by September 2, 2025.

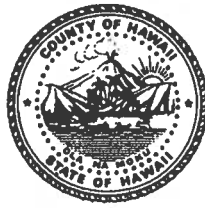
A hardcopy version of the attached letter will be transferred to your Department via Inter-Departmental mail.

Thank you,

Khayla-Lei Peiler

Secretary to the Board of Ethics
Office of the Corporation Counsel
101 Aupuni St. Suite 325
Hilo, HI 96720
Phone: (808) 961-8251
Email: boardofethics@hawaiicounty.gov
khayla-lei.peiler@hawaiicounty.gov

C. Kimo Alameda, Ph.D.
Mayor



Gerald A. Takase
Director

William V. Brilhante, Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director

County of Hawai'i

Department of Liquor Control

Hilo Lagoon Centre, 101 Aupuni Street, Unit 230, Hilo, Hawai'i 96720-4261
(808) 961-8218 • Fax (808) 961-8684
E-Mail: cohdlc@hawaiicounty.gov

August 20, 2025

Lisa Fukumitsu, Vice Chair
Board of Ethics
County of Hawai'i
boardofethics@hawaiicounty.gov

Dear Chair Fukumitsu:

Pursuant to your request of August 13, 2025, here are the applicable sections which govern the Department of Liquor Control, its employees, Commissioners and Board Members.

They are: Section 281-11, Hawai'i Revised Statutes, which states:

§281-11 County liquor commissions and liquor control adjudication boards; qualifications; compensation. (a) A liquor commission or liquor control adjudication board, consisting of not less than five members, no more than the minimum required for a quorum of whom shall belong to the same political party at the time of appointment, may be created for each of the counties. The elected executive head of each county may nominate, and by and with the advice and consent of the legislative body of the county, shall appoint the members of the commissions and boards. The elected executive head of each county, by and with the advice and consent of the legislative body of the county, may remove from office any of the members. The commission or board shall designate one of its members as chairperson. Each member shall be a citizen of the United States and shall have resided in the county for which appointed for at least three years immediately preceding the date of the member's appointment.

(b) Upon the expiration of the term of each commissioner or board member, the commissioner's or board member's successor shall be appointed for a term to expire five years from the date of the expiration of the preceding term.

The tenure in office of every commissioner or board member shall be for the terms provided and until their successors are duly appointed and qualified.

Any vacancy shall be filled by appointment for the remainder of the unexpired term. **No person shall be a member of any commission or board who is or becomes engaged, or is directly or indirectly interested in any business for the manufacture or sale of liquor or who advocates or is or becomes a member of, or is identified or connected with, any organization or association which advocates prohibition, or who is an elected officer of the state or county government or who presents oneself as a candidate for election to**

any public office during the term of the person's appointment hereunder. This provision shall be enforced by the elected executive head of the county by the removal of the disqualified member whenever such disqualifications shall appear.

Also, Section 281-22 may further be applicable, which states:

§281-22 Political activities of commission employees. (a) A commission employee may support, advocate, or aid in the election or defeat of any candidate for public office, or run for public office; provided the employee:

- (1) Notifies the commission in writing of the employee's intent to support, advocate, or aid in the election or defeat of a candidate for public office; and
- (2) If a candidate for public office, takes a leave of absence in accordance with section 78-23 for a period beginning prior to the initiation of political activities related to the candidacy and ending the day following the general election for the office.

(b) Notwithstanding chapter 11 or any other law to the contrary, no commission employee shall solicit or receive contributions, or receive or transfer money or anything of value from a licensee for the purpose of supporting, advocating, or aiding in the election or defeat of a candidate for public office. Violation of this subsection shall be:

- (1) Punishable by summary dismissal of the employee; and
- (2) Subject to fines in accordance with section 11-410.

While not directly related to outside employment, this would be the closest prohibition to getting involved that we can find.

I hope this satisfies your inquiry. If you have further questions, please don't hesitate to contact us.

Sincerely,


GERALD TAKASE
Director

GT:de

From: [Genegabuas, Thaysha](#)
To: [Peiler, Khayla-Lei](#)
Cc: [Bergum, Zachary D.](#)
Subject: RE: Board of Ethics Request for Information
Date: Monday, August 18, 2025 10:15:57 AM
Attachments: [image001.png](#)

Aloha Khayla-Lei,

The Mass Transit Agency currently does not have any internal policies/procedures in place regarding employment outside of the County.

Mahalo,

Thaysha Genegabuas
Secretary
County of Hawai'i
Mass Transit Agency
Office: 808-961-8556



From: Peiler, Khayla-Lei <Khayla-Lei.Peiler@hawaiiicounty.gov>
Sent: Thursday, August 14, 2025 3:48 PM
Subject: Board of Ethics Request for Information

County of Hawaii Department Heads –

The Hawaii County Board of Ethics kindly requests your review and response to the attached Letter. Please submit your responses by September 2, 2025.

A hardcopy version of the attached letter will be transferred to your Department via Inter-Departmental mail.

Thank you,

Khayla-Lei Peiler

Secretary to the Board of Ethics
Office of the Corporation Counsel
101 Aupuni St. Suite 325
Hilo, HI 96720
Phone: (808) 961-8251
Email: boardofethics@hawaiiicounty.gov

From: [Fukuda, Kauionalani](#)
To: [Board of Ethics](#)
Cc: [Enomoto, Lori K](#)
Subject: Board of Ethics - Response to Letter for Department Heads
Date: Wednesday, August 20, 2025 7:54:32 AM
Attachments: [Board of Ethics - Letter to Department and Agency Heads.pdf](#)

Aloha,

In response to your letter dated August 13, 2025, titled "*Request for Information on Internal Department Policies and/or Procedures Relating to Outside Employment*," please be advised that the Office of Aging does not currently have any internal policy or procedure in place regarding this matter.

Should the development of such a policy be required, I respectfully request that the Board of Ethics, County of Hawai'i, provide guidance or a recommended template outlining the key elements to include.

Mahalo!

Kauionalani Fukuda

Executive on Aging
Hawai'i County Office of Aging
1055 Kino'ole Street, Suite 101
Hilo, Hawai'i 96720-3872
Phone: (808) 961-8601

C. Kimo Alameda, Ph.D.
Mayor

William V. Brilhante, Jr.
Managing Director

Merrick Nishimoto
Deputy Managing Director



Kehaulani M. Costa
Housing Administrator

Keiko M. Mercado
Assistant Housing Administrator

County of Hawai'i
Office of Housing and Community Development

1990 Kino'ole Street, Suite 102 • Hilo, Hawai'i 96720 • (808) 961-8379 • Fax (808) 961-8685
Existing Housing: (808) 959-4642 • Fax (808) 959-9308
Kona: (808) 323-4300 • Fax (808) 323-4301

August 20, 2025

Via Electronic Mail Only

Board of Ethics

101 Aupuni Street, Suite 325

Hilo, HI 96720

e-mail: boardofethics@hawaiiicounty.gov

RE: Response to Board of Ethics 08/13/25 correspondence requesting information on internal departmental policies and/or procedures relating to outside employment

A search of our records confirms that the Office of Housing and Community Development does not have an internal policy/procedure relating to outside employment.

With Aloha,

A handwritten signature in dark ink, appearing to read "Kehaulani".

Kehaulani M. Costa
Housing Administrator





County of Hawai'i
OFFICE OF SUSTAINABILITY, CLIMATE, EQUITY,
AND RESILIENCE

32 Kino'ole Street, Suite 101 • Hilo, Hawai'i
(808) 854-3129
E-mail: OSCER@hawaiicounty.gov

To: Hawaii County Board of Ethics

From: Laura Acasio, OSCER Administrator

Date: September 2, 2025

Subject: Response to Request for Information Regarding Internal Policies and Procedures on Outside Employment

Pursuant to Hawai'i County Code Section 2-89, the Office of Sustainability, Climate, Equity, and Resilience (OSCER) respectfully submits the following information in response to the Board of Ethics' request regarding internal department policies and/or procedures relating to outside employment.

OSCER is a newly established office under Chapter 37 of the Hawai'i County Code. As such, the office is still in the process of drafting its formal Policies and Procedures, which will eventually guide staff operations in a consistent and transparent manner. At this time, OSCER does not have a formally adopted policy specific to outside employment.

However, OSCER is considering adopting a policy framework that recognizes the Board of Ethics as the authority to determine whether potential outside employment constitutes a conflict of interest. In this framework:

- Employees seeking guidance on outside employment would be directed, via departmental memoranda, to submit a petition to the Board of Ethics for determination.
- OSCER's role would be to ensure staff are aware of this process, but the ultimate authority to evaluate conflicts would remain with the Board of Ethics.
- Departmental guidance on this matter would be issued through internal communications (e.g., memoranda from the Administrator to staff) to provide clarity and consistency until such time as formal Policies and Procedures are finalized.

C. Kimo Alameda, Ph.D.
Mayor



Laura Acasio
Director

This approach reflects OSCER's commitment to transparency, accountability, and alignment with the County's established ethical framework. We believe that deferring conflict determinations to the Board of Ethics ensures impartiality and provides employees with clear direction when questions of outside employment arise.

We appreciate the Board of Ethics' guidance on this matter and will incorporate its recommendations into our ongoing development of department-wide Policies and Procedures.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laura Acasio".

Laura Acasio
Administrator
Office of Sustainability, Climate, Equity, and Resilience

From: [Felipe, Charmaine](#)
To: [Board of Ethics](#)
Cc: [Honma, Clayton](#); [Samura, Melissa](#)
Subject: FW: Board of Ethics Request for Information
Date: Thursday, September 4, 2025 1:39:23 PM
Attachments: [Board of Ethics - Letter to Department and Agency Heads.pdf](#)

Aloha Khayla-Lei,

Department of Parks and Recreation does not have any department policies and/or procedures relating to outside employment.

Mahalo,

Charmaine Felipe
P&R – Business Manager
808-961-8560

"Far and away the best prize that life has to offer is the chance to work hard at work worth doing"
-Theodore Roosevelt

From: Bautista, Amy M <AmyM.Bautista@hawaiicounty.gov>
Sent: Thursday, August 14, 2025 4:10 PM
To: Felipe, Charmaine <Charmaine.Felipe@hawaiicounty.gov>
Cc: Honma, Clayton <Clayton.Honma@hawaiicounty.gov>; Samura, Melissa <Melissa.Samura@hawaiicounty.gov>
Subject: FW: Board of Ethics Request for Information

Hi Charmaine –

Forwarding below and attached for your handling.

Please note the September 2nd deadline to respond.

Thank you --

Amy Bautista, Private Secretary
Department of Parks & Recreation
Direct: (808) 961-8561 (VoIP x8561)

CONFIDENTIALITY: The information contained in this message is intended for the sole designated recipient(s) and may contain privileged and confidential attorney-client communication(s). If you are not the person named above NOTICE IS HEREBY GIVEN that you are STRICTLY PROHIBITED from reading, reviewing, disseminating and/or copying this document. Please notify this office immediately if you have received this message in error and please delete this e-mail and destroy any hard copy that may have been inadvertently printed. THANK YOU.

From: Peiler, Khayla-Lei <Khayla-Lei.Peiler@hawaiiicounty.gov>

Sent: Thursday, August 14, 2025 3:48 PM

Subject: Board of Ethics Request for Information

County of Hawaii Department Heads –

The Hawaii County Board of Ethics kindly requests your review and response to the attached Letter. Please submit your responses by September 2, 2025.

A hardcopy version of the attached letter will be transferred to your Department via Inter-Departmental mail.

Thank you,

Khayla-Lei Peiler

Secretary to the Board of Ethics
Office of the Corporation Counsel

101 Aupuni St. Suite 325

Hilo, HI 96720

Phone: (808) 961-8251

Email: boardofethics@hawaiiicounty.gov

khayla-lei.peiler@hawaiiicounty.gov

From: [Johnston, Dawn](#)
To: [Board of Ethics](#)
Cc: [Ahn, Michelle](#); [Darrow, Jeff](#); [Ley, Rachelle](#)
Subject: Board of Ethics Request for Information
Date: Tuesday, August 19, 2025 7:25:26 AM
Attachments: [Board of Ethics - Letter to Department and Agency Heads.pdf](#)
[image001.png](#)

Aloha Khayla-lei,

At this time, the Planning Department does not have any internal department policies or procedures specifically related to outside employment, based on a review of our current files.

Please let us know if there are any guidelines or expectations we should be aware of, or if there are any policies or procedures we should consider putting in place. We would appreciate your guidance on this.

Mahalo,
Dawn

Dawn Johnston

Administrative Services Officer
County of Hawaii, Planning Department
101 Pauahi Street, Suite 3, Hilo, HI 96720
Direct: 808-961-8130
dawn.johnston@hawaiicounty.gov



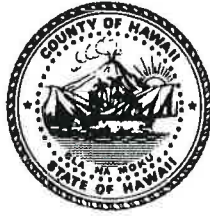
From: Peiler, Khayla-Lei <Khayla-Lei.Peiler@hawaiicounty.gov>
Sent: Thursday, August 14, 2025 3:48 PM
Subject: Board of Ethics Request for Information

County of Hawaii Department Heads –

The Hawaii County Board of Ethics kindly requests your review and response to the attached Letter. Please submit your responses by September 2, 2025.

A hardcopy version of the attached letter will be transferred to your Department via Inter-Departmental mail.

C. Kimo Alameda, Ph.D.
Mayor



Neil A. Azevedo
Acting Director

William V. Brillhante, Jr.
Managing Director

County of Hawai'i
DEPARTMENT OF PUBLIC WORKS
Aupuni Center
101 Pauahi Street, Suite 7 · Hilo, Hawai'i 96720-4224
(808) 961-8321 · Fax (808) 961-8630
public_works@hawaiiicounty.gov

TO: Board of Ethics

FROM: Neil A. Azevedo, Acting Director

DATE: August 21, 2025

SUBJECT: Response to Request for Information on internal department policies and/or procedures relating to outside employment

This is in response to the Board of Ethic request for information regarding internal department policies and/or procedures related to outside employment. Currently the Department of Public Works does not have any formal policies or procedures in place relating to outside employment.

Please let me know if any further information is needed.

From: [Hew Len Lee, Joelle](#)
To: [Board of Ethics](#)
Cc: [Lin, Dennis](#); [Medina, Benson](#)
Subject: Request for Information on Internal Department Policies and/or Procedures Relating to Outside Employment
Date: Thursday, August 14, 2025 4:15:51 PM

Good afternoon,

We do not have any department policy and follow County HR policies.

Thank you,

Joelle Hew Len Lee
Private Secretary to Director
Benson Medina and
Deputy Director Dennis Lin
Research and Development
County of Hawai'i
25 Aupuni Street
Direct: (808) 961-8862
Email: Joelle.HewLenLee@hawaiicounty.gov



Petition No. 2025-18

BOARD OF ETHICS, County of Hawai'i

101 Aupuni Street, Suite 325, Hilo, Hawai'i 96720

Tel. No. (808) 961-8251 / e-mail: boardofethics@hawaiiicounty.gov

PETITION

Your name: Ivory Quintal

Date: 08/07/2025

Mailing address: [REDACTED]

Phone: [REDACTED]

Email address: [REDACTED]

(attach additional pages if necessary)

1. State the nature of your interest, including reason(s) for the submission of this Petition:

I am currently on the Board for the Hilo Downtown Improvement Foundation and reached out to the Council Members for CRF funds for our 4th of July Block Party held on July 4, 2025, in Downtown Hilo.

2. Provide the specific section(s) of the Code of ethics in question (the Code of Ethics is Chapter 2, Article 15, of the Hawai'i County Code):

2-83 Subsection 3: 83 (c) An officer or employee of the County, or a business in which an officer or employee or the officer or employee's immediate family member has a controlling interest, may contract for goods or services with any County agency.

3. Provide a complete statement of the facts:

I currently work for the County of Hawaii as a Council Aide and am on the Board for the Hilo Downtown Improvement Foundation and the Haaheo PTO for my keiki's schools.

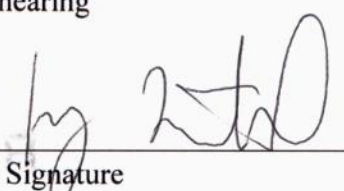
4. Provide a statement of your position or contention

I would like to be transparent about the positions I hold and ensure there is no conflict of interest on my part.

5. If this petition is regarding yourself, as a county officer or employee, please indicate whether you are requesting an:

(Check one)

☒ open hearing ☐ closed hearing


Your Signature

SUBMITTAL: Please submit one (1) hard copy of the completed petition and any relevant documents to the Board of Ethics at the address stated above or via e-mail at boardofethics@hawaiiicounty.gov.

NOTE: Any petition that does not substantially comply with the foregoing requirements may be rejected. In addition, the Board may, for good cause, reject any petition. Hawai'i County Code Section 2-86.



Petition No. **2025-20**

BOARD OF ETHICS, County of Hawai'i

101 Aupuni Street, Suite 325, Hilo, Hawai'i 96720

Tel. No. (808) 961-8251 / e-mail: boardofethics@hawaiiicounty.gov

PETITION

Your name: Patti Pinto

Date: 9/19/25

Mailing address: [REDACTED]

Phone: [REDACTED]

Email address: [REDACTED]

(attach additional pages if necessary)

1. State the nature of your interest, including reason(s) for the submission of this Petition:

I am a volunteer officer of Puna Makaukau, a 501 (c) (3) organization that has made an application for contingency grant funds and am also a county employee.

2. Provide the specific section(s) of the Code of ethics in question (the Code of Ethics is Chapter 2, Article 15, of the Hawai'i County Code):

Section 2-83 ; c, (1) & (2)

The nature of the relationship was disclosed on the application

The opinion is being sought via this petition

3. Provide a complete statement of the facts:

Puna Makaukau a 501 (c) (3) organization chartered in Hawaii has requested funding to improve and enlarge our community emergency response center and community service activities. All granted funds will be spent on materials and supplies for the projects, no individual involved in the organization or in the project work will be paid for any work or service.

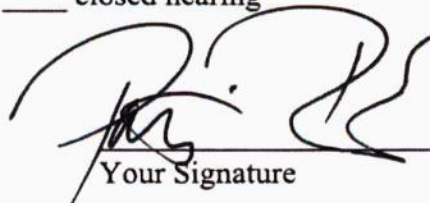
4. Provide a statement of your position or contention

My county position has no influence over the granting of the funds. As vice president of Puna Makaukau I receive no salary, nor will I benefit in any way financially from the grant funds. All activities funded by the contingency funding will be for the benefit of our subdivision and the surrounding upper Puna residents.

5. If this petition is regarding yourself, as a county officer or employee, please indicate whether you are requesting an:

(Check one)

☒ open hearing ☐ closed hearing


Your Signature

SUBMITTAL: Please submit one (1) hard copy of the completed petition and any relevant documents to the Board of Ethics at the address stated above or via e-mail at boardofethics@hawaiiicounty.gov.

NOTE: Any petition that does not substantially comply with the forgoing requirements may be rejected. In addition, the Board may, for good cause, reject any petition. Hawai'i County Code Section 2-86.

Report on Permitted Interaction Group (PIG) - Review and Update of the Board of Ethics Rules of Practice and Procedures

Background:

In November 2024, the Board of Ethics voted to create a Permitted Interaction Group (PIG) to review and propose updates to the current County of Hawai'i Board of Ethics Rules of Practice and Procedures.

Membership:

The PIG was comprised of Board Members:

- Lisa Fukumitsu
- Christopher Ho
- Paul Paiva

The PIG operated under the guidance of Deputy Corporation Counsel (DCC) Sylvia Wan.

Membership Changes:

- On February 23, 2025, BOE Member Paiva resigned from the PIG due to schedule conflicts.
- DCC Wan advised that the remaining two members (Fukumitsu and Ho) could continue working on the draft rules
- On June 4, 2025, Board Member Ho notified DCC Wan of his resignation from the Board of Ethics, ending his participation in the PIG.

Meeting Dates:

- December 10, 2024
- January 16, 2025
- April 1, 2025
- April 29, 2025
- June 4, 2025

Work Completed:

During its meetings, the PIG:

- Reviewed the overall structure and organization of the Rules.
- Proposed structural and language clarifications to improve readability and consistency.
- Suggested updates to:
 - **Rule 4:** Petitions for Informal Advisory Opinions per HCC 2-86(a).
 - **Rule 5:** Petitions Alleging a Violation of the Code of Ethics per HCC 2-86(b).
 - **Rule 8:** Financial Disclosures.

Status:

With the resignation of Board Member Ho on June 4, 2025, the PIG no longer met the membership requirements to continue. No additional meetings have been held since that date. The work completed to date consists of draft revisions and recommendations that remain in progress and were not finalized or ready for presentation to the full Board. These materials can be provided for further consideration through either the formation of a new PIG for the same purpose or an alternative review process. In accordance with the Sunshine Law, membership of the former PIG cannot be altered; therefore, any continuation of this work would require creation of a new PIG.

Submitted by:

Lisa Fukumitsu

Board of Ethics Member

August 11, 2024

BOARD OF ETHICS
COUNTY OF HAWAI‘I

In the Matter of the Petition by

DAVID HOLBROOK,

Petitioner.

PETITION NO. 2025-14

INFORMAL ADVISORY OPINION

INFORMAL ADVISORY OPINION

The County of Hawai‘i Board of Ethics (Board), having reviewed the petition for an informal advisory opinion dated April 22, 2025 (Petition) from David Holbrook (Petitioner) and having obtained all the information deemed necessary by the Board to make a proper determination regarding the subject petition, the Board renders this informal advisory opinion pursuant to the Charter of the County of Hawai‘i (CCH) § 14-5(b), Hawai‘i County Code (HCC) § 2-86, and Rule 4 of the Rules of Practice and Procedure of the Board of Ethics (BOE Rules).

I. FACTS

Petitioner is employed by the County of Hawai‘i Department of Public Works (DPW) as a Building Inspector. Petitioner filed the Petition dated April 22, 2025, requesting an informal advisory opinion as to whether preparing architectural plans for compensation outside of his County of Hawai‘i (County) employment would violate HCC § 2-84 (Conflicts of Interest).

Petitioner elected to have the Petition heard in open session pursuant to Hawai‘i Revised Statutes § 92-5(a)(2), HCC § 2-86(a), and BOE Rule 4.13(b). The Board, therefore, considered

the Petition in open session with Petitioner in attendance at its May 14, 2025, June 12, 2025, July 16, 2025, and August 13, 2025, meetings.

In the Petition and his several open session testimonies referenced herein, Petitioner stated that as a County Building Inspector, he is assigned to inspect those projects subject to a building permit in the areas with tax map key numbers starting with 1-5 and part of the areas starting with 1-6, which includes Hawaiian Paradise Park and part of Orchidland. Petitioner further clarified the building permit process by explaining that building permits are first reviewed by DPW building clerks, the County Department of Planning, the DPW engineering division, the Hawai'i State Department of Health, and then DPW plans examiners, and that Petitioner is not in a position where he would be approving his own architectural drawings. Petitioner also explained that prior to becoming a County Building Inspector, he operated a drafting business and would like to be able to prepare architectural plans again if and to the extent deemed appropriate by the Board. Petitioner declared that if an inspection of a building based on plans that he drew came up in his assigned areas, he would inform his supervisor, and another building inspector could inspect the project. As an example, Petitioner stated that he followed that process when a project he worked on prior to his County employment recently came up for inspection.

At the Board's May 14, 2025, meeting, the Board received testimony from Petitioner and voted to continue the Petition to the next Board meeting to request information from DPW as to whether it has any internal conflict of interest policies or procedures applicable to building inspectors who desire to/have performed work outside of their County employment, and whether DPW had other input.

At its June 12, 2025, meeting, the Board observed that its request for information to DPW contained the wrong petitioner's name and voted to re-issue the request with appropriate corrections and clarifications, and to continue the Petition until the Board's next meeting.

At its July 12, 2025, meeting, the Board received and reviewed DPW's response to its request for information and received additional testimony from Petitioner. DPW's response stated, amongst other things, that it does not currently have a formal written policy regarding outside employment and that its position is that given the nature of building inspectors' responsibilities, especially for supervisory staff – including code enforcement, inspection, and impartial decision-making that affects public safety and private development – outside employment presents an unacceptable risk of actual or perceived conflicts of interest. DPW further provided that it expects all employees to adhere to strict ethical standards, including: avoiding conflicts of interest at all times; not reviewing or inspecting any work in which they have a personal or financial stake; not using County resources, authority, or work hours for private business activities; and not taking any official action that could benefit themselves, their family, or private clients. The Board voted to continue the Petition to the next Board meeting to consider additional information.

At its August 13, 2025, meeting, received additional testimony from Petitioner and decided on the Petition as set forth below.

II. OPINION

The Petitioner is an "employee" subject to CCH Article XIV and HCC Chapter 2, Article 15 (collectively, the County Code of Ethics). See CCH §§ 14-2 to 14-4; HCC §§ 2-81, 2-82. The Petition is a petition for an informal advisory opinion concerning Petitioner's own

conduct pursuant to HCC § 2-86(a) and BOE Rule 4.1(a) and substantially complies with the filing requirements of HCC § 2-86(c) and BOE Rule 4.1(c).

Based on the Petition, the Petitioner's testimony, and the Board's review of the County Code of Ethics, and having also considered DPW's response, the Board determines that the Petitioner's drafting of architectural plans for compensation outside of his County employment does not constitute a probable violation of the County Code of Ethics, to the extent that Petitioner does not inspect any projects, buildings, or structures to which he had a part in drafting the plans, and does not use any County resources, equipment, or time in relation to his outside drafting services.

Adopted by the Board on _____, 2025.

BOARD OF ETHICS, COUNTY OF HAWAII

By _____
RACHEL SHORT, Chairperson

2026 Board of Ethics Meeting Schedule

MEETING START TIME: 10:00 AM

DATE	LOCATION
WED January 14th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED February 11th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED March 11th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
FRI April 10th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED May 13th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED June 10th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED July 15th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED August 12th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED September 9th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED October 14th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
TUE November 10th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720
WED December 9th	Via Zoom or Hilo Council Chambers, 25 Aupuni Street, Hilo, HI 96720

Edited 10-06-25 KKP